



**Before:** Judge Agnieszka Klonowiecka-Milart

**Registry:** Nairobi

**Registrar:** Abena Kwakye-Berko

ABD AL-SHAKOUR et al.<sup>1</sup>

v.

SECRETARY-GENERAL  
OF THE UNITED NATIONS

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**JUDGMENT ON RECEIVABILITY**

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**Counsel for the Applicants:**

Robbie Leighton, OSLA

**Counsel for the Respondent:**

Stéphanie Cochard, Human Resources Legal Unit, UNOG

Jérôme Blanchard, Human Resources Legal Unit, UNOG

Notice: This Judgment has been corrected in accordance with article 31 of the Rules of Procedure of the United Nations Dispute Tribunal.

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<sup>1</sup> 262 Applicants from the United Nations Secretariat, whose names appear in Annex I to this Judgment.

## **Introduction**

1. On 3 August 2017, the Geneva Registry of the United Nations Dispute Tribunal (UNDT) received 332 similar applications filed by the Office of Staff Legal Assistance (OSLA) on behalf of staff members employed by different United Nations entities at the Geneva duty station.

2. The 332 applications were grouped into nine cases and served on six different Counsel acting for the Respondent for their respective entities. These cases were assigned to Judge Bravo on 24 August 2017. The present case concerns 262 staff members of the United Nations Office at Geneva (UNOG).

3. All the Applicants are requesting the rescission of the “decision to implement a post adjustment change resulting in a pay cut” notified to them on 11 May 2017. The Applicants also seek compensation for any loss accrued prior to such rescission.

4. On 30 August 2017, Judge Bravo issued Order Nos.: 157, 158, 159, 160, 161, 162, 163, 164 and 165 (GVA/2017) recusing herself from the cases.

5. On 5 September 2017, Judge Downing, then President of the United Nations Dispute Tribunal, issued Order No. 169 (GVA/2017), in which he accepted the recusal of Judge Bravo, recused himself from adjudication of the cases and ordered the transfer of the nine cases to the Dispute Tribunal in Nairobi.

6. On 13 and 14 September 2017, Counsel for the Respondent were notified that the cases had been transferred to the Nairobi Registry.

7. On 15, 16 and 18 September 2017, Counsel for the Respondent filed identical motions requesting the Tribunal:

- a. For a joint consideration of the 332 applications on the grounds that: the Applicants in all nine cases were challenging the same decision; they all claim the exact same relief; the material facts in all nine cases are identical; the Tribunal has been requested to determine substantially the same questions of law and fact; Counsel for the Respondent wished to file

a single reply; and a joint consideration of the cases would promote judicial economy by minimizing duplication of proceedings.

b. To submit a single reply on the issue of receivability only.

c. For a six-week extension of the deadline to file a single reply should the Tribunal consider that a response on the merits was required at that stage.

8. On 18 September 2017, the Tribunal issued Order No. 152 (NBI/2017) in which it granted the Respondent leave to file a single reply on receivability and on the merits in relation to the nine cases and extended the deadline for filing the single reply until 31 October 2017.

9. The reply was filed on 31 October 2017.

10. The Tribunal has decided that an oral hearing is not required in determining the preliminary issue of receivability in this case and will rely on the parties' pleadings and written submissions.

### **Summary of relevant facts**

11. In September and October 2016, cost-of-living surveys were conducted by the International Civil Service Commission (ICSC) at seven headquarter duty stations outside New York (Geneva, London, Madrid, Montreal, Paris, Rome and Vienna). The purpose of these surveys was to gather price and expenditures data to be used for the determination of the post adjustment index at those locations. In the years prior to this round of surveys, the ICSC had approved a number of changes to the survey methodology based on recommendations of the Advisory Committee on Post Adjustment Questions (ACPAQ).

12. The results of the surveys were included in the ACPAQ Report presented to the ICSC Secretariat at its 84th meeting in March 2017. The ICSC Secretariat noted at the time that, in the case of Geneva, implementation of the new post adjustment would lead to a reduction of 7.5% in the net remuneration of staff in that duty station as of the survey date (October 2016).

13. On 11 May 2017, the Applicants received an email broadcast from the Department of Management, United Nations Headquarters, informing them of a post adjustment change effective from 1 May 2017 translating to an overall pay cut of 7.7%. The email states in relevant part:

In March 2017, the International Civil Service Commission (ICSC) approved the results of the cost-of-living surveys conducted in Geneva in October 2016, as recommended by the Advisory Committee on Post Adjustment Questions (ACPAQ) at its 39th session, which had recognized that both the collection and processing of data had been carried out on the basis of the correct application of the methodology approved by the General Assembly.

Such periodic baseline cost-of-living surveys provide an opportunity to reset the cost-of-living in such a way as to guarantee purchasing power parity of the salaries of staff in the Professional and higher categories relative to New York, the basis of the post adjustment system. Changes in the post adjustment levels occur regularly in several duty stations so as to abide by this principle of equity and fairness in the remuneration of all international civil servants at all duty stations.

The extensive participation of staff in the recent cost-of-living salary surveys' process and the high response rates provided by staff in the duty stations provide assurance that the results accurately reflect the actual cost of living experienced by the professional staff serving at these locations.

The post adjustment index variance for Geneva has translated into a decrease in the net remuneration of staff in the professional and higher categories of 7.7%.

The Commission, having heard the concerns expressed by the UN Secretariat and other Geneva-based organizations as well as staff representatives has decided to implement the post adjustment change for Geneva, effective 1 May 2017 (in lieu of 1 April as initially intended) with the transitional measures foreseen under the methodology and operational rules approved by the General Assembly, to reduce the immediate impact for currently serving staff members.

Accordingly, the new post adjustment will initially only be applicable to new staff joining the duty station on or after 1 May 2017; and currently serving staff members will not be impacted until August 2017.

During the month of April, further appeals were made to the ICSC by organizations and staff representatives to defer the implementation of the revised post adjustment. On 24 and 25 April 2017, Executive Heads, Heads of Administration and HR Directors

of Geneva-based Organizations and UNOG senior management met with the ICSC Vice-Chairman and the Chief of the Cost-of-Living Division of the ICSC in Geneva to reiterate their concerns. During the meeting, a number of UN system-wide repercussions were identified.

The ICSC has taken due note of the concerns expressed and in response to the questions raised, the ICSC has posted a “Questions & Answers” section on their website dealing specifically with the Geneva survey results, as well as an in-depth explanation of the results of the 2016 baseline cost-of-living surveys at Headquarters duty stations...<sup>2</sup>

14. In its memorandum entitled “Post adjustment classification memo” dated 12 May 2017, the ICSC indicated that Geneva was one of the duty stations whose post adjustment multipliers had been revised as a result of cost-of-living surveys. The post adjustment multiplier was set at 67.1. The memorandum also indicated that staff serving in Geneva before 1 May 2017 would receive a personal transitional allowance (PTA), which would be revised in August 2017.<sup>3</sup>

15. Following the issuance of the broadcast, Geneva-based organizations expressed concerns regarding the cost of living surveys and post adjustment matters.

16. On 10 July 2017, the Applicants filed management evaluation requests against the same decision however only “in the event the ICSC is deemed not a technical body”. The present application was filed without awaiting the result of the management evaluation.

17. On 18 July 2017, at its 85th Session, the ICSC determined that its earlier measures would not be implemented as originally proposed.

18. On 19 July 2017 an article was posted on the Geneva intranet by the Department of Management indicating that a new decision of the ICSC had amended the Commission’s earlier decision with regard to the post-adjustment in Geneva, to the effect that there would be no post adjustment-related reduction in net remuneration for serving staff members until 1 February 2018, and that from February 2018, the decrease in the post adjustment would be less than originally

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<sup>2</sup> Application, Annex 1.

<sup>3</sup> Reply para 9; Annexes 4 and 5.

expected.<sup>4</sup> This was followed by a broadcast on 20 July 2017 by the UNOG Director-General which also indicated that a further decision of the ICSC had amended their earlier decision and that “[f]urther detailed information on implementation of the reduction in the post adjustment for Geneva will be communicated in due course.”<sup>5</sup>

19. In its memorandum entitled “Post adjustment classification memo” for August 2017, dated 31 July 2017, the ICSC indicated that post adjustment multipliers for Geneva had been revised as a result of cost-of-living surveys approved by the ICSC during its 85th session. The post adjustment multiplier for Geneva was now set at 77.5 as of August 2017. The memorandum also indicated that staff serving in Geneva before 1 August 2017 would receive a PTA as a gap closure measure that would totally offset for a six-month period any negative impact of the reduction in the post adjustment amount; and that this allowance would be revised in February 2018.<sup>6</sup>

20. Following this new ICSC decision, retroactive payments were made to new staff members in Geneva who joined after 1 May 2017, and had not received a PTA. Staff members who joined after 1 May 2017 have since received the same post adjustment than staff members who joined prior to 1 May 2017.<sup>7</sup>

21. In the period from July to September 2017 the post adjustment multiplier has been further revised.<sup>8</sup> The decision of the ICSC of May 2017 has not been implemented. The later decision has been implemented to the extent that the affected staff received a PTA meant to moderate the impact of the decreased post adjustment.<sup>9</sup>

22. On 21 and 22 August 2017, MEU informed that the new determination of the ICSC rendered moot the matter raised in the management evaluation request of 10 July 2017. MEU further indicated that the additional submission filed by OSLA on 17 August 2017 was considered as a “new request for a management

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<sup>4</sup> Application, Annex 3.

<sup>5</sup> Application Annex 4.

<sup>6</sup> Reply, para 14; Annex 10.

<sup>7</sup> Reply, para 15; Annex 11.

<sup>8</sup> Reply, para 16; Annexes 12-14.

<sup>9</sup> Reply, para 20.

evaluation”, and that, pursuant to staff rule 11.2 (d), the management evaluation was to be completed no later than 1 October 2017.

### **Respondent’s submissions on receivability**

*A matter cannot be before the MEU and the Dispute Tribunal simultaneously.*

23. The application relates to the implementation of the May 2017 ICSC decision. A request for management evaluation was submitted on 10 July 2017 and as of the date of the filing of the application on 3 August 2017, the response from the management evaluation was not completed. The response of the management evaluation was subsequently sent to the Applicants on 21 and 22 August 2017.

24. It is uncontested that the Applicants submitted the present application without awaiting the result of their request for management evaluation. It is further uncontested that the Applicant stated that they may appeal the MEU’s response to their request for management evaluation.

25. Allowing the Applicants to file multiple applications is contrary to the efficient use of judicial resources. As the Applicants requested management evaluation of the contested decision on 10 July 2017 and received the response to the management evaluation on 21 August 2017, the present application is premature and not receivable. To find otherwise could result in the Dispute Tribunal finding itself effectively seized of two appeals of the same contested decision.

*The contested decision does not constitute an “administrative decision taken pursuant to advice obtained from technical bodies”, which is exempt under staff rule 11.2(b) from the requirement to request a management evaluation.*

26. OSLA has asserted that the application is filed pursuant to staff rule 11.2(b) on the basis that the ICSC may constitute a technical body. The ICSC is not a technical body within the meaning of staff rule 11.2(b). The ICSC is a subsidiary organ of the General Assembly within the meaning of art. 22 of the United Nations Charter and was established in accordance with General Assembly

resolution 3357(XXIX) of 18 December 1974 in which it approved the ICSC Statute.

27. Article 11(c) of the ICSC Statute provides that the Commission shall establish the classification of duty stations for the purpose of applying post adjustments. The ICSC does not advise the Secretary-General on post adjustment; rather, the ICSC takes decisions which have to be implemented by the Secretary-General. Therefore, the implementation of the ICSC decisions on the post adjustment multiplier does not constitute an administrative decision taken pursuant to advice obtained from technical bodies. The Applicants are therefore not exempt from the requirement to first request a management evaluation prior to submitting an application with the UNDT.

28. The application is not receivable under staff rule 11.2(b), and should be filed under staff rule 11.2(a), requiring staff members to, as a first step, submit to the Secretary-General in writing a request for a management evaluation of the administrative decision.

*The 11 May 2017 ICSC decision, or the implementation thereof, is moot.*

29. The management evaluation request dated 10 July 2017 relates to the May 2017 ICSC decision, or its implementation, which was superseded by the July 2017 ICSC decision. The July 2017 decision constitutes a new decision of the ICSC and the May 2017 ICSC decision is void.

30. The July 2017 ICSC decision cannot be considered as a continuation of the May 2017 decision. The May 2017 decision was initially projected to result in a decrease of 7.7% in net remuneration. The payment of a post adjustment based on the revised multiplier was to be paid to new staff joining the Organization on or after 1 May 2017. However, the July 2017 ICSC decision superseded the May 2017 ICSC decision, by increasing the post adjustment multiplier, establishing different gap closure measures and a different implementation date for the payment of post adjustment at the new rate, i.e., 1 August 2017. The cancellation of the May 2017 ICSC decision also resulted in retroactive payments to staff members who joined on or after 1 May 2017.



31. On 21 and 22 August 2017, the Applicants were informed by MEU that the July 2017 ICSC decision rendered moot the matter raised in their management evaluation request.

*The implementation of an ICSC decision on post adjustment multipliers is not an administrative decision subject to review pursuant to the UNDT Statute.*

32. The May 2017 ICSC decision and the July 2017 ICSC decision are not administrative decisions pursuant to art. 2 of the UNDT Statute or pursuant to the Staff Regulations and Rules. The setting of the post adjustment multipliers by the ICSC, as reflected in its May 2017 and July 2017 decisions, must be implemented by the Secretary-General, there is no room for interpretation or the exercise of discretion. The only action taken to implement such a decision is to make a payment by calculating the post adjustment based on the multiplier set by the ICSC.

33. Criterion for receivability of an application in cases of implementation of ICSC decisions should be whether the Secretary-General has room for discretion in implementing them. The United Nations Appeals Tribunal (UNAT) confirmed in *Obino* that the application was not receivable and there was no room for discretion in implementing the change in the hardship classification of a duty station mandated by the ICSC; this was notwithstanding that the change had a negative impact on the staff member. The case needs to be distinguished from *Ovcharenko et al.* 2015-UNAT-530 where the Secretary-General declined to implement the ICSC decision, because the General Assembly had adopted a decision contrary to the ICSC's decision. In the case of *Pedicelli* 2015-UNAT-555, the ICSC's decision to promulgate a seven-level classification system for General Service staff could be implemented in different ways and therefore involved an exercise of discretion. In the present case, the application has challenged the implementation of the ICSC's decision to revise the post adjustment multiplier. This implementation does not involve the exercise of discretion on the part of the Secretary-General and therefore is not reviewable.

*The Application is not receivable as the Applicants are not adversely affected by the ICSC decisions on post adjustment multipliers.*

34. The May 2017 ICSC decision was projected to result in a 7.7% decrease in net remuneration, this in fact did not happen because the decision was superseded by the July 2017 ICSC decision.

35. Even with the July 2017 ICSC decision, the Applicants have not been adversely affected as the ICSC has approved the payment of a PTA as a gap closure measure to address any reduction in net remuneration as a result of the revised post adjustment multiplier. This allowance will be reviewed in February 2018, which means that it will be in place until then. Moreover, further modifications to the post adjustment in Geneva are expected. According to a notice on iSeek; the reduction in Geneva may be further mitigated by the positive movement of the Geneva post adjustment index (that already increased from about 166 in March to 172.6 in July), as well as by the effects of the expected positive evolution of the United Nations/United States net remuneration margin in 2018. Therefore, given that the effect of this new decision cannot be foreseeable, the application should not be receivable at this stage.

#### **Applicant's submissions on receivability**

*The ICSC may constitute a technical body.*

36. Staff rule 11.2(b) indicates that the Secretary-General is competent to determine what represents a technical body for purposes of determining if a decision requires management evaluation or is contestable directly to the UNDT. The Secretary-General has not published a list of such technical bodies. In similar cases the Administration have alternately taken the position that decisions were and were not made by technical bodies falling under staff rule 11.2(b). The Administration's interpretation as to what constitutes a technical body has been subject to change over time and is not necessarily consistent between the MEU and Counsel representing the Respondent before the UNDT (for example as illustrated by *Syrja* UNDT/2015/092).

37. Given the difficulty in predicting the position that might be taken by the Respondent in the instant case, the Applicants are obliged to file multiple applications in order to ensure that they are not procedurally barred.

38. The instant application is filed pursuant to staff rule 11.2(b) on the basis that the ICSC may constitute a technical body. A further application will be made in due course pursuant to the management evaluation request of 10 July 2017.

*Deadline is triggered by communication of a decision not implementation.*

39. Staff rule 11.2(c) provides that the time limit for contesting an administrative decision runs from notification rather than implementation.

40. The 11 May 2017 email notified the Applicants of a decision to implement a post adjustment change as of 1 May 2017 with transitional measures applied from that date, meaning that it would not have impact on the amount of salary received until August 2017. As such, it communicated a final decision of individual application which will produce direct legal consequences to the Applicants. Since the time limit runs from communication rather than implementation of a decision and no rule specifies the means of communication required to trigger that deadline, the Applicants considered that the 60-day deadline ran from the 11 May 2017 communication.

41. Such a decision has direct legal consequences for the Applicants and is properly reviewable. The instant case can be distinguished from that in *Obino* which dealt with a decision within the ICSC's decisory powers, from *Tintukasiri et al.* 2015-UNAT-526 which related to a methodology specifically approved by a General Assembly Resolution and from *Ovcharenko et al.*, which similarly related to a decision pursuant to a General Assembly Resolution. Whereas the decision challenged here falls within the ICSC's advisory powers and was not subject to approval by the General Assembly.

42. In *Pedicelli* it was found that notwithstanding a finding that the Secretary-General had no discretion in the implementation of an ICSC decision, the negative impact of that decision still rendered it capable of review. To find otherwise would be to render decisions regarding fundamental contractual rights of staff

members immune from any review regardless of the circumstances. This is inconsistent with basic human rights and the Organization's obligation to provide staff members with a suitable alternative to recourse in national jurisdictions. Since the International Labour Organization Administrative Tribunal (ILOAT) has consistently reviewed decisions relating to post adjustment it would further risk the breakup of the common system with staff members from one jurisdiction afforded recourse denied in other parts.

43. Further or in the alternative, the decision was taken *ultra vires*. Consequently, any argument on receivability relying on the absence of discretion on the part of the Secretary-General must fail. If the ICSC can exercise powers for which it has no authority and those actions cannot be checked by either the Secretary-General or the internal justice system, then there is no rule of law within the Organization.

*Effect of the 19 and 20 July 2017 communications.*

44. It is possible that the Administration's communications of 19 and 20 July 2017 indicate that the 11 May 2017 decision has been rescinded and replaced by a new administrative decision triggering a further 60-day deadline. However, the Administration has not taken a clear position in this regard.

45. The 19 and 20 July 2017 communications describe the changes made as "a decision" but go on to indicate that "this latest development amends the Commission's earlier decision". The word "amends" suggests that rescission has not occurred. Various elements of the original decision are changed though confusingly the ICSC affirm their decision that the collection and processing of the data from the 2016 baseline cost-of-living surveys were carried out by the Secretariat in accordance with the approved methodology while simultaneously forwarding a report suggesting the contrary to the Advisory Committee for evaluation.

46. Since the Administration is not clear whether the original decision has been rescinded and replaced, the Applicants, in order to protect their rights, are

obliged to maintain their challenge to the 11 May 2017 communication and may in due course be obliged to contest the 19 and 20 July 2017 communications.

### Considerations

47. In the layered argument concerning receivability of the application, the primary question to be addressed is the nature of the decision that the Applicants seek to challenge. The Applicants identified the contested decisions as being the 11 May 2017 email from the Administration related to the post adjustment change effective 1 May 2017. Whilst the content of the email relays findings and decisions of the ICSC and the Respondent copiously argues irreceivability of an application directed against decisions of the ICSC, it is however obvious from the application that the challenge is directed not against the acts of the ICSC but against the communication as such, which announces the intent to implement the ICSC directive. The legal issue arising for consideration at this stage is therefore whether the application is properly against an administrative decision in the sense of art. 2.1(a) of the UNDT statute, which provides as follows:

1. The Dispute Tribunal shall be competent to hear and pass judgement on an application filed by an individual, as provided for in article 3, paragraph 1, of the present statute, against the Secretary-General as the Chief Administrative Officer of the United Nations:

(a) To appeal an administrative decision that is alleged to be in non-compliance with the terms of appointment or the contract of employment. The terms “contract” and “terms of appointment” include all pertinent regulations and rules and all relevant administrative issuances in force at the time of alleged non-compliance.

48. It is recalled that in *Hamad*<sup>10</sup>, the UNAT adopted the former United Nations Administrative Tribunal’s definition forged in *Andronov*, which describes an administrative decision as:

a unilateral decision taken by the administration in a precise individual case (individual administrative act), which produces direct legal consequences to the legal order. Thus, the administrative decision is distinguished from other administrative acts, such as those having regulatory power (which are usually

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<sup>10</sup> *Hamad* 2012-UNAT-269, at para. 23.

referred to as rules or regulations), as well as from those not having direct legal consequences. Administrative decisions are therefore characterized by the fact that they are taken by the Administration, they are unilateral and of individual application, and they carry legal consequences.<sup>11</sup>

49. As seen from the above, the notion of an administrative decision for proceedings before the UNDT resembles what in the European continental system is sometimes referred to as an administrative act *sensu stricto*, and which is reached by an agency to regulate a single case in the area of public law and thus being characterised as unilateral, concrete, individual, and producing direct external effect, *i.e.*, whose legal consequences are not directed inward but outward the administrative apparatus.<sup>12</sup> Concreteness of an administrative decision, as opposed to the abstract nature of norms contained in regulatory acts, has been explained in the second sentence of the *Andronov* definition reproduced above. When it comes to the requirement of external effect, the UNAT made it explicit in *Andati-Amwayi*<sup>13</sup> that, in accordance with the UNDT Statute, the proceedings are concerned with decisions having impact not just on the legal order as a whole but on the terms of appointment or contract of employment of the staff member. What has proven to require interpretation though, is the criterion of “precise individual case” and direct effect. In this regard, the *Andronov* definition was not explicit as to whether the UNAT jurisdiction extends over decisions which, albeit not expressing norms *par excellence* abstract, are nevertheless directed toward general criterion or a defined or definable circle of people (decisions of general disposition or general order).<sup>14</sup>

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<sup>11</sup> Judgment No. 1157, *Andronov* (2003) V.

<sup>12</sup> See *e.g.*, section 35 of the German VwVfG, 1<sup>st</sup> sentence: “An administrative act is any decision, order or other unilateral measure taken by an authority to settle an individual case in the field of public law and which is directed to the external legal effect, see also Polish High Administrative Court decision SA/Wr 367/83, ONSA 1983, no 2m, item 75, p. 183 “unilateral decision issued by state administration which has binding consequences for an individually determined entity and a specific case, given by this authority in external relations”.

<sup>13</sup> *Andati-Amwayi* 2010-UNAT-058, at para 17.

<sup>14</sup> For comparison, see section 35 of the German VwVfG 2<sup>nd</sup> sentence: “A general order is an act of administration addressed to a group of persons determined or determinable by general characteristics or concerning public property or its use by the general public”; also, in French administrative law, *décisions collectives* (concernant plusieurs personnes dont la situation est solidaire) et les *décisions particulières* (pour une situation individualisée qui a des effets sur un nombre indéterminé de personnes (Yves Gaudemet, *Traité de Droit administratif* Tome 1 16<sup>e</sup> édition, 2001).

50. The question arose in *Tintukasiri et al.*, where the appellants had challenged the Secretary-General's decision to accept the Headquarters Salary Steering Committee's recommendations for the promulgation of revised salary scales for the General Service and National Officer categories of staff in Bangkok, which announced a freeze of the salaries for extant staff members at then-existing rates and establish a second tier of salaries for staff members hired on or after 1 March 2012. The UNAT agreed with the UNDT's reasoning that the decision to issue secondary salary scales for staff members recruited on or after 1 March 2012 did not amount to an administrative decision under art. 2.1(a) of the UNDT's Statute, as per the terms of the *Andronov* because at the moment of their issuance the secondary salary scales were to apply exclusively in the future, for an undefined period, to a group of persons which at that time could not be identified. Regarding the appellants' challenge to the freeze of the then-existing salary scales, the UNAT upheld the UNDT's finding that the applications were not receivable *ratione materiae* because the contested decision was of a general order, in that the circle of persons to whom the salary freeze applied was not defined individually but by reference to the status and category of those persons within the Organisation, at a specific location and at a specific point in time.<sup>15</sup> However, the UNAT opened the possibility for the concerned staff members to challenge decisions implemented in their individual cases. Specifically, it agreed with the UNDT that:

... [i]t is only at the occasion of individual applications against the monthly salary/payslip of a staff member that the latter may sustain the illegality of the decision by the Secretary-General to fix and apply a specific salary scale to him/her, in which case the Tribunal could examine the legality of that salary scale without rescinding it. As such, the Tribunal confirm[ed] its usual jurisprudence according to which, while it can incidentally examine the legality of decisions with regulatory power, it does not have the authority to rescind such decisions.<sup>16</sup>

51. The issue may have to some extent become obscured in *Obino*, where the application contested a decision to implement the ICSC's reclassification of the Addis Ababa duty station. The factual narrative of the judgment is silent as to

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<sup>15</sup> *Tintukasiri et al.* 2015-UNAT-526, paras. 35-37.

<sup>16</sup> *Ibid.*, at para 38.

whether the applicant's pay had been affected at the time; although it likely had, the argument was rather about negative impact on the salaries of the Addis Ababa staff in general.<sup>17</sup> The UNDT interpreted the challenge as directed against the decision of the ICSC and held that such challenges are not receivable insofar as the ICSC is answerable and accountable only to the General Assembly and not the Secretary-General, to whom ICSC decisions cannot be imputed in the absence of any discretionary authority to execute such decisions.<sup>18</sup> The UNAT, who agreed that the ICSC had made a decision binding upon the Secretary-General<sup>19</sup>, affirmed the judgment because "Mr. Obino did not identify an administrative decision capable of being reviewed, as he failed to meet his statutory burden of proving non-compliance with the terms of his appointment or his contract of employment."<sup>20</sup>

52. With minor variation, the UNAT restated the holding in *Tintukasiri et al.* in *Ovcharenko et al.*, where the appellants contested the Secretary-General's refusal to pay post adjustment based on a multiplier promulgated by the ICSC. The UNAT found that the administrative decision not to pay the appellants their salary with the post adjustment increase, the execution of which was temporarily postponed, was a challengeable administrative decision, despite its general application because it had a direct impact on the actual salary of each of the appellants who filed their application after receiving their pay slips for the relevant period.<sup>21</sup> The UNAT held also: "It was not the ICSC or the General Assembly's decision to freeze their salaries, but the execution of that decision that was challenged insofar as it affected the staff members' pay slips."<sup>22</sup>

53. Last, in *Pedicelli*, the administration announced that it would commence conversion from the nine-level salary scale then applied to GS staff in Montreal to the seven-level salary scale promulgated by the ICSC. A number of staff members, including the appellant in that case, received Personnel Action forms confirming their new grade. The UNAT echoed *Obino* regarding the lack of

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<sup>17</sup> *Obino* UNDT-2013-008 at para 30.

<sup>18</sup> *Ibid.*, at para 34 and para. 47.

<sup>19</sup> *Obino* 2014-UNAT-405 at para 21.

<sup>20</sup> *Ibid.*, at para 19.

<sup>21</sup> *Ovcharenko* 2015-UNAT-530 at para. 30.

<sup>22</sup> *Ibid.*, at para 32.



discretion on the part of the Secretary-General in implementing ICSC decisions. It however concluded:

Notwithstanding the foregoing, it is an undisputed principle of international labour law and indeed our own jurisprudence that where a decision of general application negatively affects the terms of appointment or contract of employment of a staff member, such decision shall be treated as an “administrative decision” falling within the scope of Article 2(1) of the Statute of the Dispute Tribunal and a staff member who is adversely affected is entitled to contest that decision.<sup>23</sup>

54. In his current argument, the Respondent points out to disparate outcomes in receivability stemming from the UNAT jurisprudence. In invoking *Obino* he proposes that, instead of the criterion of negative effect of the decision on the terms of appointment or contract of employment of a staff member, the controlling criterion for receivability of an application concerning decisions of general order should be whether the contested decision of the Secretary-General was issued in the exercise of discretion as opposed to execution of a binding decision of another entity.<sup>24</sup> For the reasons that follow, this Tribunal cannot accept these propositions.

55. This Tribunal agrees that negative effect on the terms of appointment or contract is not a criterion sufficiently disposing of the question at hand. Onerousness, or *gravamen*, of an administrative decision for the applicant is a basic requirement determining the applicant’s standing in any proceedings before the UNDT. As confirmed by the UNAT, where an applicant has no stake in the contested administrative decision, since his rights and terms of employment were not affected by it, the application must be rejected for the lack of legal standing.<sup>25</sup> This said, the Tribunal considers that, first, the criterion proposed by the Respondent is systemically inappropriate. Second, there is no genuine contradiction in the UNAT jurisprudence as to what constitutes a reviewable administrative decision.

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<sup>23</sup> *Pedicelli* 2015-UNAT-555 at para 29.

<sup>24</sup> Reply para. 45.

<sup>25</sup> *Pellet* 2010-UNAT-073, at para. 20.

56. The use of discretion as criterion for determination of the being of an administrative decision, or for its reviewability by the UNDT, has no basis in the applicable law nor in any generally accepted doctrine. Conversely, the doctrine of administrative law recognizes both discretionary decisions and constrained decisions, the latter having basis in substantive law which determines that where elements of a certain legal norm are fulfilled, the administrative authority will issue a specific decision. Substantive law may be a primary or secondary general legislation or may be an administrative decision of a general order. Constrained decisions are as a rule reviewable for legality, *i.e.*, their compliance with the elements of the controlling legal norm. The UNDT reviews daily applications directed against constrained decisions, such as, for the most part, those pertaining to entitlements. The UNAT confirmed that highly constrained decisions, such as placement of reports on staff member's file, are reviewable for legality.<sup>26</sup> If anything, it is judicial review of discretionary decisions which, as expression of separation of powers and prohibition of "co-administration by courts", is limited and even in individualizing discretionary decisions usually focuses on arbitrariness or abuse of power<sup>27</sup>.

57. Where the controlling norm is contained in a decision of general order, which leaves no room for administrative discretion, its implementation is still done through a discrete administrative decision of constrained character, whereby the administration subsumes facts concerning individual addressee under the standard expressed by the general order. In factual scenarios discussed here, assuming, for the sake of argument, that a given ICSC decision would have been binding on the Secretary-General, judicial review would at minimum need to extend over the matter whether the premises of the general order are satisfied, *e.g.*, whether indeed the applicant was posted in Bangkok, Addis Ababa or Geneva, whether he or she joined before or after a given date and, as noted by the Respondent, whether the calculation was arithmetically correct. To exclude *a limine* judicial review of constrained decisions would unjustly restrain the staff members' right to a recourse to court.

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<sup>26</sup> *Oummih* 2014-UNAT-420 at paras 19-20.

<sup>27</sup> See, *e.g.*, *Frohler* 2011-UNAT-141 and *Charles* 2012-UNAT-242.

58. The UNAT jurisprudence confirms these conclusions. Without ever withdrawing from the terms of *Andronov*, it affirmed receivability of applications when an act of general order has resulted in norm crystallisation in relation to individual staff members by way of a concrete decision expressed through a payslip or personnel action. This is precisely the holding of *Tintukasiri*, the leading case on the issue. The other UNAT judgments, notwithstanding occasional intertwining elements pertinent to legality rather than receivability<sup>28</sup>, express the same concept and are directed toward the same legal effect.

59. From the foregoing, it is evident that by applying the test of *Andronov*, and even assuming that the 11 May 2017 communication confers a general intent to implement the ICSC decision with respect to each and every staff member based in Geneva, such individual decisions have not yet been taken. This renders the applications irreceivable. Moreover, even the decision of general order would have been rescinded by the next communication of 18 July 2017 in which the ICSC determined that its earlier measures would not be implemented as originally proposed. The uncontested submission from the Respondent is that:

.. the July 2017 ICSC decision superseded the [11] May 2017 ICSC decision, by increasing the post adjustment multiplier, establishing different gap closure measures and a different implementation date for the payment of post adjustment at the new rate, i.e., 1 August 2017. The cancellation of the May 2017 ICSC decision also resulted in retroactive payments to staff members who joined on or after 1 May 2017.

60. Regarding the Applicant's contention that the communication may present an amendment of the original decision rather than a new one, the Tribunal agrees with the Respondent that replacing most of the essential elements of the previous administrative act with new ones constitutes a new administrative decision, amounting to rescission of the previous one. Absent individual decisions, however, this consideration becomes immaterial for the instant case. Other pertinent questions of receivability need not be resolved at this point.

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<sup>28</sup> As in *Obino*, where the question of the Secretary-General being bound by an ICSC decision was pertinent to the issue of proving non-compliance with terms of appointment or contract of employment (para 19), that is, legality of the constrained decision, rather than to non-existence of a reviewable administrative decision.

**CONCLUSION**

61. This application is dismissed as not receivable.

*(Signed)*

Judge Agnieszka Klonowiecka-Milart

Dated this 2<sup>nd</sup> day of February 2018

Entered in the Register on this 2<sup>nd</sup> day of February 2018

*(Signed)*

Abena Kwakye-Berko, Registrar, Nairobi

**Annex I****List of Applicants**

		<b>Last Name</b>	<b>First Name</b>	<b>Office</b>	<b>Grade</b>	<b>Step</b>
1	Mr	Abd Al-Shakour	Mohammed	UNOG	P4	XI
2	Ms	Abdellaoui	Naima	UNOG	P4	VII
3	Mr	Abdou	Mohamed	OSLA	P3	VI
4	Ms	Abrahamian	Irene	UNOG	P5	IX
5	Mr	Alaoui	Abdelmajid	UNOG	P5	VII
6	Ms	Alete	Rachel	OHCHR	P4	XI
7	Mr	Amurgo Pacheco	Alberto Maria	INTRACEN	P3	IX
8	Ms	Antony	Julia	UNOG	P4	XII
9	Ms	Arizaga Faller	Mara	OHCHR	P3	V
10	Mr	Arlot	Fabrice	UNOG	P2	XII
11	Mr	Assi	Mohamed	UNOG	Blank	Blank
12	Mr	Badaker	Viktor	ECE	P4	XII
13	Ms	Balas	Christina	UNOG	P4	VI
14	Ms	Banfield	Laurence	UNOG	P5	IV
15	Ms	Barbara	Cindy	UNOG	P	V

16	Mr	Barczak	Leszek	UNOG	P3	8
17	Mr	Belokurov	Alexander	ECE	P3	VI
18	Mr	Beltran Martin	Icier	UNOG	P4	VIII
19	Ms	Ben Haji	Salma	UNCTAD	P3	X
20	Ms	Benedek	Charlotta	OCHA	P4	IX
21	Mr	Benzakri	Abdelaltif	INTRACEN	P2	IX
22	Mr	Benzarti	Mohamed Raouf	UNCTAD	P3	X
23	Ms	Betemps Cochin	Sylvie	INTRACEN	P3	IX
24	Ms	Bianchi	Maria Giovanna	OHCHR	P4	Other
25	Mr	Bicchetti	David Olivier	UNCTAD	P3	VI
26	Ms	Bihl	Karen	UNCTAD	P3	VIII
27	Mr	Blagodatskikh	Serguei	UNOG	P4	XII
28	Mr	Blanc	Stephan	INTRACEN	P5	XII
29	Mr	Blythe	Alan George	UNJSPF	D1	X
30	Mr	Boukadida	Mounir	UNOG	P4	XI
31	Mr	Boulhaj	Mahjoub	UNOG	P3	XII
32	Ms	Brady	Amy	UNOG	P4	IV

33	Ms	Brunel	Delphine	UNOG	P4	VI
34	Ms	Burns	Anne-Marie	UNOG	P3	VIII
35	Ms	Carvalho Friedheim	Adriana	OCHA	P3	Other
36	Mr	Cebreros	Marc Titus	OHCHR	P3	II
37	Ms	Chadarevian Boulakovski	Ghada	UNOG	P4	XII
38	Mr	Chaker	Mehdi	INTRACEN	P3	IX
39	Mr	Chantrel	Dominique	UNOG	P3	Other
40	Mr	Charlemagne	Jean-Philippe	OHCHR	P3	XI
41	Mr	Chattopadhyay	Sagnik	OHCHR	P3	
42	Ms	Clavijo Penaranda	Marcela	UNOG	P4	IV
43	Mr	Clements	Joseph	UNCTAD	P4	V
44	Mr	Conte	Kerfalla	INTRACEN	P2	X
45	Ms	Crottaz	Noemie	OHCHR	P3	V
46	Mr	Crucelegui Garate	Juan Luis	UNCTAD	P5	VIII
47	Mr	Daher	Marcelo	OHCHR	P3	XI
48	Mr	Da-Sama-Itoua	Nzete	UNOG	P2	X
49	Mr	David	John Edmund Luke	UNCTAD	P4	VI

50	Ms	De la Fuente Noriega	Maria	UNOG	P3	V
51	Ms	De La Sierra De La Vega	Lucia Gloria	OHCHR	P3	X
52	Ms	De Luis Y Ponce	Isabel	UNOG	P5	III
53	Mr	De Medts	Stijn	UNOG	P3	IV
54	Ms	De Rivero	Juliette Sophia	OHCHR	P5	VII
55	Ms	De Thorpe Millard	Vanessa Mary	UNCTAD	P3	XI
56	Mr	De Vylder	Jochen	OHCHR	P4	III
57	Ms	Deda	Paola	ECE	P5	VII
58	Mr	Del Prado	Thierry	OHCHR	P3	Other
59	Ms	Dessables	Myriam	OHCHR	P5	X
60	Mr	Di Luca	Leonardo	UNOG	P3	VI
61	Mr	Diallo	Mamadou Alpha	UNOG	P3	VII
62	Mr	Dionori	Francesco	ECE	P5	VI
63	Mr	Dominguez Corcoba	Denis	UNOG	P3	XII
64	Ms	Dreger	Mirka	UNOG	P4	VIII
65	Ms	Dullaghan	Lynsey	UNOG	P3	V
66	Mr	Dupuy	Georges	UNOG	P5	Other



67	Mr	Dzioubinski	Oleg	ECE	P4	XII
68	Ms	Eam-On	Pitchaya	INTRACEN	P1	XI
69	Ms	El Dalati	Chirine	UNOG	P5	VII
70	Mr	Elagraa	Mutasim	UNCTAD	P4	XII
71	Mr	Elkhafif	Mahmoud	UNCTAD	P5	Other
72	Mr	Elten	Marcus Philip	OCHA	P3	VIII
73	Ms	Fabiani	Helene Jeanne	UNCTAD	P3	Other
74	Mr	Fernandez-Vernet	Enrique	UNOG	P5	V
75	Mr	Ferrer Amich	Alfonso	UNOG	P3	III
76	Ms	Fillion-Wilkinson	Leslie	DGACM	P3	II
77	Ms	Fleury	Marie- Pierre	The Mutual Association	P5	XII
78	Mr	Foster	Scott Bailie	ECE	D1	X
79	Ms	Foucher	Myriam	UNOG	P4	V
80	Mr	Francois	Laurent	UNCTAD	P3	XII
81	Mr	Fraticeilli	Fausto	UNOG	P3	Other
82	Mr	Frydman	Norberto	OHCHR	P4	Other
83	Mr	Gahbiche	Ouassim	UNCTAD	P3	III

84	Mr	Galtier	Sebastien	UNOG	P3	VII
85	Ms	Garcia Couto	Rosa	ECE	P4	XII
86	Ms	Garcia Martos	Susanna	UNOG	P4	IX
87	Ms	Garcia Perez	Maria Isabel	UNCTAD	P3	X
88	Ms	Garcia Soto	Maria Elisa	UNOG	P4	X
89	Ms	Gehl Sampath	Padmashree	UNCTAD	P4	XI
90	Mr	Geronimi	Eduardo	UNOG	P3	VIII
91	Mr	Gibbons	Declan	UNOG	P4	V
92	Mr	Gillibert	Patrice	OHCHR	P4	Other
93	Mr	Glukhenkiy	Konstantin	ECE	P4	Other
94	Mr	Goncalves Morgado	Luis Felipe	UNCTAD	P2	VI
95	Ms	Gonzalez	Emilie	UNOG	P2	VII
96	Ms	Griffiths	Charlotte Isabelle E	ECE	P5	V
97	Ms	Gruber	Kimberly June	OHCHR	P3	VII
98	Ms	Guedenet	Melanie	UNOG	P4	VI
99	Mr	Guerra-Chavez	Ricardo	UNCTAD	P4	Other
100	Mr	Guerrero Buitrago	Jesus	UNOG	P4	

101	Ms	Haggar	Nathalie	UNOG	P4	I
102	Mr	Harrison	Daniel	UNOG	P4	IV
103	Mr	Hauser	Benjamin	UNOG	P3	III
104	Ms	Hecht de Alwis	Sophie	INTRACEN	P5	IX
105	Ms	Held	Stefanie	ECE	P5	VIII
106	Mr	Henderson Castro	Carlos Humberto	OHCHR	P4	X
107	Ms	Hernandez	Eleonora	UNOG	P4	VII
108	Mr	Hetland	Jarle Henning	INTRACEN	P3	VII
109	Mr	Hlaing	Thuta Phyo	UNOG	P2	Other
110	Ms	Huang	Xunyu Emilie	UNOG	P4	VII
111	Mr	Hubble	Barnaby Guy	UNOG	P4	X
112	Mr	Ibrahim	Khaled Mohamed Elsayed	UNCTAD	P3	Other
113	Mr	Imamo	Ben Mohammed Imamo	INTRACEN	P4	IX
114	Mr	Ionescu	Dragos	UNOG	P3	Other
115	Mr	Izurieat Canova	Alejandro Federico	UNCTAD	P5	XII
116	Mr	Jaggi	Lucien	OCHA	P3	V
117	Mr	Javaloyes Tumbusch	Raul	UNCTAD	P5	v

118	Ms	Jennings	Satya	OHCHR	P3	VI
119	Mr	Jimenez Pont	Miguel	INTRACEN	P4	XII
120	Mr	Kalbusch	Marco Didier Marie	UNOG	P5	VI
121	Mr	Kangur	Tauno	ECE	P3	VII
122	Ms	Karadjova	Albena	ECE	P4	Other
123	Ms	Katergi el Moumi	Roula	UNCTAD	P4	VIII
124	Mr	Kazi Syed	Sadiq Ahmed	INTRACEN	P3	VII
125	Ms	Keating	Michelle Elena	UNOG	D1	V
126	Mr	Kelly	Paul Gerard	INTRACEN	P4	Other
127	Mr	Kervella	Olivier	ECE	P5	Other
128	Ms	Kilina	Elena	UNOG	P3	VIII
129	Mr	Kniahin	Dzimitry	INTRACEN	P1	II
130	Mr	Kohler	Pierre	UNCTAD	P3	III
131	Mr	Kozul-Wright	Richard	UNCTAD	D2	IV
132	Ms	Kruglikova	Kira	UNOG	D1	VI
133	Ms	Krumova	Theodora	OHCHR	P3	Other
134	Mr	Kutner	Daniel	UNOG	P4	XII

135	Ms	Laev	Talvi	UNOG	P5	IV
136	Mr	Lamolle	Mathieu	INTRACEN	P3	VII
137	Mr	Lapper	Richard	OHCHR	P4	IX
138	Mr	Lara Alonso	Jesus	UNOG	P5	XII
139	Mr	Lee	Jeff	OHCHR	P3	VII
140	Ms	Legardeur	Blandine	UNOG	P3	IX
141	Ms	Legrand	Aurelie	UNCTAD	P3	IX
142	Mr	Leighton	Robbie	OSLA	P4	Blank
143	Ms	Leite	Fernanda	INTRACEN	P2	VIII
144	Ms	Linn	Monika	ECE	D1	IX
145	Ms	Loose	Hine-Wai Kapiti	UNOG	P3	IX
146	Mr	Lopez Maidana	Martin Fernando	INTRACEN	P2	Other
147	Ms	Lopez Uribe	Maria Carolina	UNOG	P4	VI
148	Ms	Lord	Clare	UNOG	P4	Other
149	Ms	Losier	Lisanne	UNCTAD	P4	Other
150	Ms	Loukass	Eleanor	UNOG	P3	IX
151	Ms	Lozano Alarcon	Vivian Andrea	OHCHR	P3	XI

152	Ms	Maniu	Daniela Elisabeta	OHCHR	P4	XII
153	Ms	Mansion	Sabrina	ECE	P3	Other
154	Ms	Markides	Olga	UNOG	P5	III
155	Ms	Marshall	Fiona	ECE	P3	XI
156	Ms	Marx Medvedowsky	Saskia	INTRACEN	P3	VI
157	Mr	Maystre	Nicolas	UNCTAD	P3	VIII
158	Mr	Meyer	Olivier	UNOG	P3	XI
159	Mr	Meyer	Stephane	UNOG	P3	VII
160	Mr	Michalak	Roman Witold	ECE	P4	XII
161	Mr	Millet	Fabrice	UNCTAD	D1	X
162	Ms	Miquel Gelabert	Joana Maria	OHCHR	P3	IX
163	Ms	Mireles Diaz	Alibech	ECE	P3	VI
164	Mr	Mirghani	Bishr	OCHA	P3	IX
165	Mr	Mongelard	Eric	OHCHR	P4	V
166	Ms	Morgan-Casades	Ana	UNOG	P4	IX
167	Mr	Mueleman	Patrick	UNOG	P3	VIII
168	Mr	Muller	Peter	OCHA	P4	Other

169	Mr	Munyan	Jason	UNCTAD	P3	N/A
170	Mr	Munyaneza	Samuel	UNCTAD	P4	Other
171	Mr	Murillo Gonzalez	Richard	UNCTAD	P3	X
172	Mr	Nagy	Michael	ECE	P4	VIII
173	Ms	Nascimento e Silva	Monica	OHCHR	P3	VIII
174	Mr	Ngo Ngoc	Phuong	OCHA	P3	Other
175	Ms	Nguyen Barbillo	Boi-Lan	UNOG	P4	XII
176	Mr	Nicita	Alessandro	UNCTAD	P4	xii
177	Mr	Nissou	Bruno Michel	DGACM	P4	X
178	Mr	Notti	Francesco	OHCHR	P4	X
179	Ms	O'Connell	Jean Marie	UNOG	P4	Other
180	Mr	Olendrzynski	Krzysztof Robert	ECE	P4	XII
181	Mr	Oyharcabal	Francois	UNCTAD	P3	Other
182	Mr	Padreny Orellana	Joan	ECE	P3	IV
183	Ms	Palmer Marine	Susana	UNOG	P4	VI
184	Mr	Parrilla Ordonez	Jose Enrique	UNOG	P3	VII

185	Ms	Parrondo	Cristina	UNOG	P3	X
186	Ms	Pavlova	Antoanela	OHCHR	P3	Other
187	Mr	Pelerins	David Gregory	UNOG	P3	I
188	Mr	Pierron	Mathieu	UNJSPF	P3	VI
189	Mr	Piski	Gabor Karel	UNCTAD	P3	Other
190	Ms	Pla Huberti	Maria Rosa	UNOG	P5	V
191	Ms	Rakotondravao	Clotilde	UNOG	P3	Other
192	Mr	Ramoul	Khairedine	UNCTAD	P4	X
193	Ms	Redigolo	Theresia	OHCHR	P4	III
194	Mr	Reisons	Edvins	UNCTAD	P2	XII
195	Mr	Rodas Arellano	Leonel Sebastian	INTRACEN	P3	IX
196	Ms	Rodier	Benedicte	OHCHR	P3	XII
197	Mr	Rodriguez or Rodriguez-Martinez	Esteban	UNOG	P4	VIII
198	Ms	Rodriguez Perez	Beatriz	INTRACEN	TC	3
199	Ms	Rondeau	Veronique	INTRACEN	P3	I
200	Ms	Rossi	Karina	UNOG	P4	VIII
201	Ms	Sabety	Cathy	OCHA	P4	XI



202	Mr	Said	Anton	INTRACEN	P5	X
203	Ms	Sainz Goutard	Veronica	UNOG	P4	III
204	Mr	Saiovici	Gady	ECE	P2	VII
205	Mr	Salathe	Edouard Michel	DGACM	P4	IV
206	Mr	Sambucini	Gianluca	ECE	P4	Other
207	Ms	Sanchez Bou	Ana Isabel	UNOG	P3	X
208	Mr	Sanchez Perez	Juan Ignacio	UNOG	P3	Other
209	Mr	Sanchez Thorin	Andres	OHCHR	P4	XII
210	Mr	Sanchez-Real	Enrique	UNOG	P4	X
211	Mr	Santiago Franca Filho	Erivan	OHCHR	P4	VIII
212	Mr	Santoni	Andrea	INTRACEN	P2	XII
213	Ms	Sanz Noriega	Carolin	ECE	P2	V
214	Ms	Schmitt	Marianne Louise	INTRACEN	P2	V
215	Mr	Sefraoui	Azzeddine	UNOG	P4	XI
216	Ms	Seiermann	Julia Barbara	UNCTAD	P2	V
217	Mr	Sensi	Stefano	OHCHR	P3	XII
218	Ms	Shamsie	Syed A. Nooh	UNOG	P4	

219	Ms	Sharma	Vishal	UNOG	P4	XI
220	Ms	Siari	Mahdia	ECE	P2	IX
221	Mr	Solchaga Zubillaga	Juan	OCHA	P3	IX
222	Mr	Souto-Maior	Alexandre	OHCHR	P4	XI
223	Mr	Steierer	Florian	ECE	P3	VII
224	Ms	Susla	Justyna	OCHA	P3	VII
225	Mr	Tan	Kok Cheng	INTRACEN	P5	Other
226	Mr	Tasic	Dejan	INTRACEN	P2	XI
227	Mr	Teeling	Gerard	UNCTAD	P5	Other
228	Ms	Tinschert	Elisabeth Janina	ECE	P2	VI
229	Mr	Tistounet	Eric	OHCHR	D1	VII
230	Ms	Toll Velasquez	Katarina	OCHA	P4	XII
231	Mr	Torreblanca Cardenas	Godofredo	OHCHR	P3	XI
232	Mr	Toth Nagy	Guillermo Alberto	UNOG	P3	IX
233	Ms	Trassari	Stefania	OCHA	P3	IV
234	Mr	Turrel	Sebastien	INTRACEN	P4	IX
235	Ms	Tweed	Julia	UNOG	P4	V

236	Mr	Usabiaga Flores	Mikel	OCHA	P3	XI
237	Mr	Valente	Paolo	ECE	P4	Other
238	Ms	Valls Senties	Laia	OHCHR	P3	Other
239	Mr	Van Giffen	Thomas Ijsbrand	UNCTAD	P3	VII
240	Mr	Vargas Marroquin	Rene Mauricio	UNOG	P5	VII
241	Mr	Vasilyev	Andrey	ECE	D2	VII
242	Mr	Vassellerie	Pierre	UNOG	P3	VI
243	Mr	Vazquez	Benito	The Mutual Association	P2	VIII
244	Ms	Veaudour	Sophie	UNOG	P5	VIII
245	Mr	Vepsalainen	Mika	ECE	P5	XI
246	Ms	Verploegh Chabot	Arlette	UNCTAD	P	XII
247	Ms	Vesterman	Claire	UNOG	P4	
248	Mr	Vikat	Andres	ECE	P5	Other
249	Ms	Vilas Costa	Leonor	UNOG	P3	IX
250	Mr	Virdee	Jasmeer	INTRACEN	P2	III
251	Mr	Vivas Eugui	David Jose	UNOG	P4	IX
252	Ms	Wang	Sen	UNOG	P4	VII

253	Mr	Watson	Nicholas David	INTRACEN	P3	VI
254	Mr	Watson	Jon	UNOG	P3	Other
255	Mr	Weber	Joerg	UNCTAD	D1	VII
256	Mr	Wells	Colin	UNOG	P3	VI
257	Mr	Willems	Erik	UNCTAD	P4	XI
258	Ms	Xie	Qiong	UNOG	P4	Other
259	Mr	Zanin	Marco	OHCHR	P3	III
260	Ms	Zhang	Yenlin	UNOG	P3	Other
261	Mr	Zhao	Quan	INTRACEN	P3	VII
262	Mr	Zhao	Junxiang	UNOG	P4	Other