119th Session **Judgment No. 3439**

THE ADMINISTRATIVE TRIBUNAL,

Considering the complaint filed by Mr P.-R. B. against the World Health Organization (WHO) on 23 April 2012 and corrected on 27 June, WHO's reply of 1 October, the complainant's rejoinder of 19 December 2012 and WHO's surrejoinder of 25 March 2013;

Considering Articles II, paragraph 5, and VII of the Statute of the Tribunal;

Having examined the written submissions;

Considering that the facts of the case and the pleadings may be summed up as follows;

A. The complainant joined WHO in 1999 as a Communications Officer in Burkina Faso. He was assigned in 2002 to the position of Technical Administrator, grade P.3, in WHO's Regional Office in Brazzaville. In April 2005 he was asked temporarily to perform the duties of French Translator at the same grade, and in October of that year he was transferred to that position. He was granted a continuing appointment with effect from 1 July 2007.

On 19 April 2008 the complainant was informed that his post of Translator was abolished with immediate effect for budgetary reasons but that this did not necessarily mean that his contract would be

terminated. The Global Reassignment Committee (GRC) would be convened and would look for a possible reassignment; it was only in the event that no decision to reassign him was reached that his contract would be terminated. The GRC met several times and the reassignment period was extended to the maximum period of 12 months. By a letter of 15 July 2009 the Regional Personnel Officer notified the complainant that the GRC had not found another position to reassign him to and that, consequently, the Director-General had decided to terminate his contract following the required three-month notice period starting from the date of receipt of that letter.

On 9 September 2009 the complainant filed an appeal with the Regional Director and the Chairperson of the Regional Board of Appeal (RBA) challenging the "illegal termination of [his] appointment". He alleged inter alia personal prejudice, incomplete consideration of the facts and failure to observe the Staff Rules and Regulations. By a letter of 19 February 2010 the Regional Director informed the complainant that the RBA had concluded that the decision to abolish his post was well founded and that applicable procedures had been followed. It had therefore recommended the rejection of his appeal and the Regional Director had decided to endorse that recommendation. On 29 March 2010 the complainant filed a notice of appeal with the Headquarters Board of Appeal (HBA), and in May he submitted his full statement of appeal contesting the decision of 19 February.

Having not received the HBA's recommendation on his appeal nor a final decision from the Director-General, on 23 April 2012 the complainant filed a complaint with the Tribunal challenging the implied decision to reject the claims set out in his appeal of 9 September 2009.

The HBA issued its report on 27 August 2012. Noting that the complainant was contesting the abolition of his post, the unsuccessful reassignment process and the subsequent termination of his appointment, it found that the appeal was time-barred with respect to the decision to abolish his post. It found no flaws in the work of the GRC or in the reassignment process and therefore recommended rejecting the appeal. It nevertheless noted that there had been delays in

paying out the complainant's final entitlements and indemnities, which should have been paid in October 2009 but had actually been paid to him only in February 2012. It therefore recommended that he be granted interest on the amounts paid to him. The Director-General informed the complainant, by a letter of 3 September 2012, that she had decided to reject his appeal as irreceivable insofar as he contested the abolition of his post, and as devoid of merit insofar as he contested the decision to terminate his appointment following the GRC's unsuccessful attempts to reassign him. However, in view of the delay in the payment of his final entitlements and indemnities, she decided that he should be paid 8 per cent interest per annum on the amount paid to him in February 2012, calculated as from the termination of his appointment, i.e. November 2009. She also granted him 5,000 Swiss francs in compensation for undue delay in the proceedings before the HBA.

B. The complainant submits that the decision to terminate his appointment was based on the "erroneous and illegal" decision to abolish his post. WHO has not shown any true organisational need for such abolition. Indeed, it refused to provide him with the formal request for abolition of post which should have been submitted to the Director-General, and the number of staff in the department increased following the abolition of his post instead of being reduced. According to him, the decision to abolish his post was based on personal prejudice, in violation of Staff Rule 1230.1.1. The sudden and unexplained decision to transfer him to the post of Translator, for which he did not possess the requisite professional training, was due to personal animosity on the part of the new Regional Director. His requests for additional training and to be reassigned were overlooked and ignored. In his view, the pattern of systematic disregard for his professional well-being was a form of harassment.

The complainant also contends that the reassignment process was flawed on several accounts. Not enough efforts were made to find him a suitable position following the abolition of his post, in breach of Staff Rule 1050.2. He was not contacted by the GRC, he was not given preference over other candidates with respect to the vacancies for which he had applied and the GRC failed to suspend the selection

processes with respect to four vacancies for which he had applied. In addition, he was not provided with any training that would have enhanced his chances of finding an alternative position.

He alleges undue delay in the internal appeal proceedings, as it took him almost 3 years to obtain a final decision.

He requests WHO to disclose, with its reply, several documents relating to issues raised in his complaint, in particular all documents related to the abolition of his post, the GRC's report and documents relating to the qualifications of the four candidates selected for the posts for which he was interviewed. He emphasises in this regard that WHO has a duty to act in good faith towards its employees and must give him access to all evidence on which it based its decision.

The complainant asks the Tribunal to quash the decision of 19 April 2008 and to order WHO to reinstate him in his original post of Technical Administrator with retroactive effect and with payment of all salary and benefits or, alternatively, to assign him immediately to a post of commensurate responsibility with retroactive effect. Alternatively, he requests that his case be "re-routed back through" the GRC, ensuring that the Staff Association participates in the procedure, and that he be reinstated immediately as a "WHO /AFRO staff member" until such time as his case is given proper consideration by the GRC. He further asks the Tribunal to recommend that no retaliatory action be taken against him by WHO, to award him 750,000 United States dollars in "actual" damages and 250,000 dollars in moral damages, together with 250,000 dollars in exemplary damages for undue delay in the internal appeal proceedings. He further seeks interest on any amount granted by the Tribunal and 50,000 dollars in costs.

C. In its reply WHO submits that the complaint is time-barred and hence irreceivable insofar as the complainant contests the decision to abolish his post. It notes that the complainant indicates on his complaint form that he impugns the implicit rejection of the appeal initiated with the Regional Administration on 9 September 2009. However, given that the Director-General has now explicitly rejected

the complainant's appeal by her decision of 3 September 2012, it proceeds on the basis that the decision impugned before the Tribunal is in fact that latter decision.

On the merits WHO stresses that, according to the case law, an organisation has discretionary authority to reorganise its structure. It asserts that the decision to abolish the complainant's post was justified and taken on objective grounds. It produces financial documents to show that the post abolition stemmed from a need for cost-saving measures and that the allegation of personal prejudice is therefore unfounded.

WHO denies that the reassignment process was flawed. It explains that the GRC was diligent in its efforts to identify a position that was appropriate for the complainant on the basis of his qualifications and experience, but it was under no obligation to keep him informed of every search carried out. The GRC reviewed 22 existing or projected posts in an attempt to reassign him and requested the suspension for two months of two selection procedures. The complainant is mistaken about what the "due preference" mentioned in Staff Rule 1050.2.7 entails. It adds that, according to Rule 1050.2.5, there is a possibility that training be provided to a staff member but there is no obligation on the part of the Organization to do so. WHO stresses that there is no right to reassignment.

It acknowledges some delay in the proceedings before the HBA, but points out that the complainant has already been awarded 5,000 Swiss francs in compensation on this account.

According to WHO, the complainant's request for disclosure of various documents is speculative and should be rejected as it amounts to a "fishing exercise". Contrary to the complainant's assertion, there is no legal requirement that a staff member be provided with a copy of the proposal to abolish his or her post. WHO was merely obliged to provide him with sufficient information about his rights and obligations to enable him to determine whether or not he might challenge the decision. It did so in the letter of 19 April 2008. With respect to the request to obtain a copy of the GRC's report, it submits that it is confidential and cannot be disclosed. It nevertheless indicates

that the GRC records were available to the RBA and the HBA during the internal appeal proceedings, and that the HBA concluded that, having reviewed the GRC's report, it could not find any flaws in the work of the GRC.

WHO considers that, in view of the circumstances of the case – i.e. the fact that efforts were made in good faith over a twelve-month period to identify a suitable position for the complainant but that no suitable position could be identified – and the lapse of time, reinstatement would be inappropriate. Moreover, it considers the complainant's claims for damages to be excessive.

D. In his rejoinder the complainant indicates that he become aware of the legal impact of the abolition of his post only when his contract was terminated. Prior to that, he had suffered no injury given that he was entitled to the reassignment procedure. Referring to the Tribunal's case law, he therefore considers that his complaint is receivable.

He notes that, in its reply, WHO provided financial information concerning budget trends in 2011 and 2013, which can hardly be linked to the decision to abolish his post. He therefore contends that WHO breached the requirements of Manual paragraph III.3.150 with respect to the reasons that must be provided for any proposed post abolition. Furthermore, WHO did not provide any details concerning the 22 posts for which he was allegedly considered and thus provided no direct evidence of the efforts allegedly made to reassign him. With respect to the delay in the internal appeal proceedings, he considers that he was not adequately compensated.

E. In its surrejoinder WHO maintains its position. It points out that the financial information given in the reply covers three biennia, ranging from 2008 to 2013. It argues that the letter of 19 April 2008 constituted a clear notification of a final decision to abolish the complainant's post. He did not submit his appeal to the RBA until 9 September 2009, which is almost 17 months later. Referring to Judgment 2933, WHO submits that the decision to abolish the post was final and that the complainant may not challenge its legality in the

present proceedings in order to impugn the subsequent decision to terminate his appointment.

CONSIDERATIONS

1. In April 2008, the complainant's post in WHO was abolished. He was then employed as a French Translator (post no. 3.1080 5). The complainant was informed that his post had been abolished by letter dated 19 April 2008. On 15 October 2009, the complainant involuntarily separated from WHO. He had earlier, on 9 September 2009, lodged a notice of intention to appeal to the RBA. The subject matter of the appeal was identified in the notice as "decisions [...] contained in various correspondence, culminating in the delivery to me on or about 15 July 2009 of a letter advising me that my appointment would come to an end on or about 15 October 2009". The RBA concluded in its report dated 1 February 2010 the abolition of the post had been lawful. By letter dated 19 February 2010, the Regional Director rejected the appeal in its entirety.

2. On 29 March 2010, the complainant lodged an appeal with the HBA. Notwithstanding that the pleadings had closed in November 2010, the complainant had not received a decision in the appeal by April 2012, when he filed his complaint with the Tribunal. The HBA reported to the Director-General in August 2012 and the Director-General communicated her decision to the complainant by letter dated 3 September 2012. Both the HBA and the Director-General treated the appeal as against two decisions, namely a decision of 19 April 2008 to abolish the complainant's post (abolition decision) and, additionally, a decision of 15 July 2009 to terminate the complainant's appointment (termination decision). As to the abolition decision, both the HBA and the Director-General treated the appeal as irreceivable as, in their opinion, it was time-barred. In relation to the termination decision, the Director-General followed the recommendation of the HBA to reject the appeal. The Director-General also decided to pay the complainant 5,000 Swiss francs because of the delay in the appeal process at the

HBA level. This was all communicated to the complainant by letter dated 3 September 2012.

3. Against this general background, it is necessary to deal with a threshold issue of the receivability of the complaint insofar as it challenges the abolition decision. In its reply WHO noted that the original complaint to the Tribunal was against an implicit rejection of the complainant's claims submitted to the Regional Administration on 9 September 2009. The Organization noted that the internal appeal has now explicitly been rejected by the decision of the Director-General of 3 September 2012. WHO's reply then proceeded on the basis that the impugned decision was the explicit decision of 3 September 2012. This approach was not challenged by the complainant in his rejoinder. It is an approach consistent with the Tribunal's practice and jurisprudence (see, for example, Judgment 3123, under 6). Accordingly it is necessary to address the question of whether the Director-General was correct in dismissing the appeal against the abolition decision as time-barred.

The complainant resists the conclusion that his appeal against the abolition decision was time-barred and refers in his rejoinder to Judgment 1712, consideration 10:

> "The necessary, yet sufficient, condition of a cause of action is a reasonable presumption that the decision will bring injury. The decision must have some present effect on the Appellant's position."

The complainant submits that, while he was notified of the "intent to abolish his position on 19 April 2008", this "failed to convey any legal impact on [the complainant] in light of [the complainant's] capacity to be reassigned within the Organization". Two references were also made to judgments of the United Nations Dispute Tribunal (judgments 2009/011 and 2009/012). The complainant continues by arguing that he only became aware of the legal impact and injury caused by the abolition of his position in the fall of 2009. It was only then that "it became clear the reassignment process was a farce and that his employment with the Organization would in fact [end] prematurely and improperly terminate in [October] 2009".

WHO makes two points in its surrejoinder. The first is that the complainant was informed by the letter of 19 April 2008 that his post would be abolished with immediate effect and the letter constituted clear notification of a final decision. Having regard to the terms of the letter, this is correct. The second is that there is clear authority which had been referred to by WHO in its reply, that in a similar situation the appeal was time-barred.

4. In Judgment 2933, the Tribunal dealt with a similar argument also raised by WHO which was the defendant organisation. Also, the circumstances are similar. In that case the complainant had been notified by letter on 13 October 2005 that the post to which he was assigned would be abolished on 31 December 2005. He was told that did not necessarily mean the termination of his appointment and that efforts would be made to reassign him through a formal process embodied in the Staff Rules. It transpired that no suitable alternative assignment could be found and his employment was terminated on 31 January 2007. The complainant lodged an internal appeal on 4 December 2006. He challenged the decisions to refuse to extend his appointment, to fail to reassign him to a post carrying responsibilities commensurate with his grade, training and experience, and to terminate his appointment. In the process, he challenged the abolition of his post as not being based on any demonstrated organisational need and that it was illegal.

The Tribunal observed at consideration 8:

> "However, as WHO rightly contends, the complainant failed to submit an appeal against the decision in question [the decision to abolish the post] within […] the [stipulated] time limit [...]. This decision has therefore become final, with the result that the complainant may not challenge its legality in these proceedings in order to impugn the subsequent decision to terminate his appointment."

This judgment provides clear authority supporting the argument of WHO that the complainant in this case cannot challenge the abolition decision. This is not a mere technical approach. The Tribunal has consistently said that time limits serve the purpose of, amongst other things, creating finality and certainty in relation to the legal effect of decisions. When an applicable time limit to challenge a

decision has passed, the organisation is entitled to proceed on the basis that the decision is fully and legally effective. So it is in this case. To the extent that the complainant seeks to challenge the decision to abolish his post in these proceedings and his internal appeal was time-barred, he has thus not exhausted internal remedies. His complaint, in this respect, is irreceivable.

5. Thus the issues remaining for determination are twofold. The first is whether, as the complainant contends, the termination decision was based on personal prejudice in violation of Staff Rule 1230.1.1. The second is whether, also as the complainant contends, WHO failed to follow the statutory procedure of the recently enacted reassignment process codified in Staff Rule 1050.2.

The complainant's case in relation to the first issue involves, in substance, an analysis of events preceding the decision to abolish his post. The complainant's employment history, described briefly, is that he commenced working with WHO as a Communications Officer in March 1999 and in January 2002 secured an appointment as a Technical Administrator. He was reassigned temporarily to the post of translator in early 2005 and on a permanent basis from October 2005. The complainant argues that his reassignment to the post of translator followed shortly after the election of a new Regional Director and it was a post in which it was impossible for him to succeed. It was a highly technical position and it may be doubted that he possessed the requisite professional training. Requests for additional training and for reassignment to better suited post were overlooked or ignored. This is characterised by the complainant as a pattern of systematic disregard for his professional well-being and, accordingly, constituted a form of harassment.

The Tribunal must proceed on the basis that the decision to abolish the post the complainant held in April 2008 was lawful and not tainted by illegality, including personal prejudice. That being so, Rule 1050 of the Staff Regulations and Staff Rules came into play. The rule provides for a process of possible reassignment and also provides, in Rule 1050.2.9, that "the staff member's appointment shall

be terminated if no reassignment decision is made during the reassignment period". As a matter of fact, there was no reassignment. According to its terms, Rule 1050.2.9 operated to terminate the complainant's appointment. There is, in this respect, no room to argue that the termination was the result of personal prejudice. Accordingly, this aspect of the complainant's case must be rejected. However, there remains for consideration the second issue raised by the complainant namely whether WHO did in fact follow and honour the provisions in Rule 1050.

6. The complainant's case on the second issue involves several elements though the overarching contention is that WHO failed to fulfil its obligations under Rule 1050 which has, as an objective, finding alternative employment within the Organization for a staff member whose position has been abolished. One element involves a contention that the GRC failed to take steps to find alternative employment and failed to communicate with him. Another was that the complainant was not afforded preferential treatment and the selection processes for the positions he applied for should have been suspended. Yet another element was that the complainant should have, but did not, receive training.

7. The complainant suggests the GRC failed to take any or adequate steps to find him alternative employment and thus WHO did not make "reasonable efforts" to reassign him as contemplated by Rule 1050.2. When considering the complainant's appeal, the HBA thought it was desirable to request a report from the GRC. This is noted in its August 2012 report to the Director-General. It is convenient to set out the HBA's assessment of the report:

> "38. The Board was provided with the GRC report. Observing the [complainant's] request to view the GRC report, the Board noted that the GRC reports, just like selection reports, are confidential and are therefore not disclosed to the Appellants. However, the Board, on behalf of the [complainant], carefully examined the GRC report and the work undertaken in order to ascertain if there were any procedural errors and whether the reassignment process was carried out correctly.

39. The Board first observed that as the GRC only received the [complainant's] case two months after the notification of the abolition of his post, an extension of the reassignment period was requested in order to give the [complainant] a fair chance to be reassigned and enough time to do the necessary work, with the entire reassignment period lasting for more than the prescribed 12 months.

40. Looking at the GRC report, the Board noted that the GRC reviewed the posts that were available and that 22 existing and projected posts were considered and two vacancy notices, based on availability of posts, were suspended in order for the [complainant] to be considered. Unfortunately the [complainant] was not found to be qualified for the two suspended vacancy notices.

41. While it appeared from the GRC report that the GRC mainly explored the translator positions, which is what the [complainant's] abolished Translator post was, but not his skill set, the Board also noted that they explored the possibility of an emergency post in AFRO as well as a HAC post. Regarding the AFRO Post, it was noted that the post was removed due to lack of funds and while HAC was very interested in the [complainant] as the money for the post was not guaranteed they could not offer him the post. In the end the HAC post also fell through due to lack of funds.

42. The Board concluded that although the GRC did look extensively at the translator posts, they also considered other posts and made an honest effort to try to find a post for the [complainant] by extending the reassignment period. It is unfortunate that they did not find anything that matched his skills. The Board also noted, further to the [complainant's] claims that a staff representative was not party to the GRC process, that every GRC has a Staff Association representative and that one signed off on the report in question. The Board also stated, further to the [complainant's] arguments that the GRC did not provide him with any training, that is not the role of the GRC, noting that the Organization should have provided the [complainant] with the necessary training in order for him to be able to undertake the Translator posts successfully.

43. The Board however did remark that there was no clear communication between the GRC and the [complainant] in respect of the progress of the reassignment process. The Board also noted that from the information available that it could not ascertain whether the GRC was aware of the positions that the [complainant] directly applied for or if the [complainant] had in fact brought to the GRC's [attention] his applications.

44. Nonetheless, the Board concluded that it could not find any flaws in the work of the GRC and the reassignment process and it therefore concluded that the reassignment process was undertaken accordingly and that it did not breach any WHO Staff Rules and Regulations or procedures."

Before considering these findings in detail, it is desirable to refer to the approach taken by the Tribunal to findings of fact made by internal appeal bodies such as the HBA. As is evident from the Tribunal's discussion in Judgment 2295, under 10, it is not the role of the Tribunal to reweigh the evidence before an internal appeal body. Moreover the findings of such an internal appeal body warrant deference. In addition, where any internal appeal body has heard evidence and made findings of fact, the Tribunal will only interfere in the case of manifest error.

8. This approach is important in considering one of the criticisms by the complainant of the reassignment process. The complainant submits in his rejoinder that he has been offered no direct evidence of the efforts made by WHO (through the GRC) to meet the obligations of the reassignment process. The submission is made that "[t]he only indicia of such efforts available to the complainant is a brief passage in the HBA report indicating that the complainant has been considered for 22 positions, without any detail regarding which positions he was in fact considered for, and what efforts were in fact made". While, in a sense this is true, the commentary of the HBA reveals several things notwithstanding the lack of detail. The first is that the GRC made genuine attempts to find a position to which the complainant could be reassigned. The second is that notwithstanding it made such attempts, its focus was on positions involving work as a translator. But that did not involve a clear focus on the complainant's skill set. The third is that the GRC did not clearly communicate with the complainant about progress of the reassignment process.

The Tribunal does not share the HBA's view that there were no flaws in the process. The second and third matters discussed in the preceding paragraph were obvious flaws. For whatever reason, the focus of the GRC was predominantly reassignment of the complainant to a translator position notwithstanding that it either knew or ought have known that the complainant was not originally employed by WHO in such a position and that his assignment (which he resisted) to the position of translator was not done on the basis that he was

pre-eminently qualified for such work. The GRC should have cast its net wider.

9. The complainant says, and WHO does not dispute, that as a matter of fact he was effectively "kept in the dark" about the attempts being made to reassign him. In this context, WHO refers to Judgment 2933, under 23, in which the Tribunal said that a reassignment committee is under no obligation to inform staff members participating in a reassignment process of every step taken to reassign them. This is doubtless true but the Tribunal was talking about "every step taken". But as the complainant points out, the duty of a reassignment committee such as the GRC is to "explore with [the staff member being sought to be reassigned] possible options prior to his separation" (see Judgment 2902, under 14). The Tribunal went on to say in that judgment the failure to do so was an affront to the staff member's dignity (in that case a long-serving employee). Had that exploration occurred in the present case then the mistaken focus of the GRC on translator positions probably would not have occurred.

10. Rule 1050.2.7 provides that "staff members shall be given due preference for vacancies during the reassignment period". The complainant submits that he should have received priority and preference above all other applicants in relation to his candidacy for available positions. However this overstates the preferential treatment to be given to an individual to whom Rule 1050 is being applied if the complainant is suggesting that he should have been appointed notwithstanding normal selection procedures designed to identify the most suitable candidate. Judgment 2933, consideration 19, makes this clear.

11. In relation to training, Rule 1050.2.5 provides that during the reassignment period, a staff member may be provided with training to enhance specific existing qualifications. However, as the Tribunal pointed out in Judgment 2933, consideration 21, the Organization (in that case WHO) was not duty-bound to propose such training and it was an option left to the organization's discretion. The complainant

argues that when the relevant passage in this judgment is read in full, the Tribunal can be viewed as saying that there was a duty on the Organization to assist in the reassignment process and there must be good grounds for not offering training. However what the complainant does not do is identify the specific existing qualifications he held at the time of the reassignment process which might have warranted training under Rule 1050.2.5 nor, and more fundamentally, does he point to any miscarriage of the discretionary power to provide (or not provide) further training. This aspect of the complainant's argument is rejected.

12. It is necessary to deal with two procedural issues. The first concerns discovery. It was resisted by WHO. The complainant sought discovery of a number of documents or classes of documents, most of which concerned the abolition of the complainant's post. They are patently irrelevant. A very general request is made in relation to documents concerning the reassignment process. It is cast in such general terms as to constitute fishing. The same can be said of documents concerning posts the complainant applied for and for which he was interviewed. Insofar as the complainant sought documents setting out the qualifications of the four candidates who were selected for the four posts for which the complainant was interviewed, they are not demonstrably relevant.

The complainant also requests an oral hearing. The Tribunal is satisfied having regard to the pleas and the documentary evidence, sufficient material is available to fairly and appropriately adjudicate on the complainant's claims.

13. In relation to relief, the complainant is entitled to moral damages for the failings in the reassignment process. Reinstatement is impracticable and inappropriate. The complainant lost the full benefit of the opportunity created by the Rules to be reassigned to another post within WHO. That is a valuable opportunity. That said, there can be no certainty or even likelihood that he would have been reassigned. The Tribunal assesses the damages in the sum of 50,000 United States dollars. There is no warrant, as requested by the complainant, for

exemplary damages in relation to the admittedly lengthy delay in the HBA's consideration of his appeal. The Tribunal notes that he has already been paid 5,000 Swiss francs compensation for the delay, which is adequate. The complainant is entitled to costs assessed in the sum of 5,000 dollars.

DECISION

For the above reasons,

1. WHO shall pay the complainant 50,000 United States dollars as damages.
2. WHO shall pay the complainant 5,000 dollars for costs.
3. All other claims are dismissed.

In witness of this judgment, adopted on 5 November 2014, Mr Giuseppe Barbagallo, President of the Tribunal, Ms Dolores M. Hansen, Judge, and Mr Michael F. Moore, Judge, sign below, as do I, Dražen Petrović, Registrar.

Delivered in public in Geneva on 11 February 2015.

GIUSEPPE BARBAGALLO

DOLORES M. HANSEN

MICHAEL F. MOORE

DRAŽEN PETROVIĆ