

Introduction

1. O\$ 17 O6%o4e* 2017% ,e A88(+6a\$% a fo*#e* s%aff #e#4e* 9+%, % ,e U\$+%" Na%+o\$ Ass+s%a\$6e %o % ,e : , #e* Ro!ge T*+a(;<UNA : RT=> f+(e" a\$ a88(+6a%+o\$ 9+%, % ,e T*+4!\$a(6o\$%es%+\$g % ,e "e6+s+o\$ \$o% %o g*a\$% ,+# a 8e* #a\$e\$% a88o+\$% #e\$% fo((o9+\$g ?!"g#e\$% Gueben et al. 201@1UNATI@92 +\$,+s fa-o!*.

rocedure !efore t"e Tri!unal

2. O\$ 1' No-e#4e* 2017% ,e Res8o\$"e\$% f+(e" ,+s *e8() %o % ,e a88(+6a%+o\$.

7. O\$ 1& / a) 2019% a Case / a\$age#e\$% D+s6!ss+o\$;<C / D=> 9as 6o\$" !6%" 9+%, % ,e 8a*%+6+8a%+o\$ of Co!\$se(fo* % ,e A88(+6a\$% a\$" Co!\$se(fo* % ,e Res8o\$"e\$%. A% % ,e C / D% % ,e 8a*%+es ag*ee" %o a ?!"g#e\$% 4e+\$g *e\$"e*e" o\$ % ,e 8a8e*s% 9+%, o!% a\$ o*a(,ea*+\$g.

&. A(so% a% % ,e C / D% % ,e 8a*%+es 9e*e g*a\$%" (ea-e %o f+(e a""+o\$a(

7. I\$ 2009\$ %,e O*ga\$+Da%+o\$!\$"e*%ooA a o\$e1%+#e Se6*e%a*+a%19+"e
6o#8*e,e\$+e eCe*6+se\$ 4) 9,+6, e(+g+4(e s%aff #e#4e*s !\$"e* %,e S%aff R!(es +\$

11. O\$ 71 a\$!a*) 2012\$ %,e A88(+6a\$% *e6e+-e" a (e%%e* f*o# %,e C,+efi 3 ! #a\$

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29. Af%e* ,a-+\$g 6a*ef!(() eCa#+\$e" % ,e e-+"e\$6e o\$ f+(e a\$" % ,e a*g! #e\$%s *a+se" 4) % ,e 8a*%+es\$ % ,e T*+4!\$a(,as +"e\$%+fe" % ,e fo((o9+\$g (ega(+ss!es:

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4. L ,e% ,e* % ,e A88(+6a\$% +s e\$%+(e" %o 4e 8a+" a %e*#+\$a%+o\$ +\$"e#\$+%)K a\$"

6. L ,e% ,e* % ,e A88(+6a\$% +s e\$%+(e" %o #o*a("a#ages.

Was the decision not to grant the Applicant a permanent appointment lawful?

70. T,e s%a%+\$g 8o+\$% fo* % ,e T*+4!\$a(Es *e--e9 of % ,e (ega(+%) of % ,e 6o\$%es%e" "e6+s+o\$ +s % ,e 6o\$%:"e*a%+o\$ of % ,e A88ea(s T*+4!\$a(+\$ +s !"g#e\$% Gueben et al. 201@1UNAT1@925 9 ,+6, *e#a\$"e" % ,e "e6+s+o\$ \$ o\$ % ,e 6o\$-e*s+o\$ of % ,e Gueben et al. a88(+6a\$%sE f+Ce"1%e*# a88o+\$%#e\$%s\$ +\$6(!"+\$g % ,a% of % ,e A88(+6a\$%\$%o % ,e ASG/O3R / fo* *e6o\$+\$e*a%+o\$.

71. T,e A88ea(s T*+4!\$a(8*es6*+4e" % ,e fo((o9+\$g +\$ Gueben et al. 201@1UNAT1@92 ;a% 8a*a. &B> 9+%, *es8e6% %o % ,e *e6o\$+\$e*a%+o\$ eCe*6+se % ,a% ,a" %o 4e !\$"e*%aAe\$ 4) % ,e ASG/O3R / !8o\$ *e#a\$":

U8o\$ *e#a\$"%5 9e eC8e6% % ,e A" #+\$s%*a%+o\$ %o s%+6%() a" ,e*e%o o!* "+*e6%+-es +\$ % ,e A88ea(s T*+4!\$a(!"g#e\$% a\$" %o o!* f!*% ,e* +\$s%!*6%+o\$ \$,e*+\$5 9 ,e* 9e eC8(+6+%) +\$s%!*6% % ,e ASG/O3R / %o 6o\$+\$e*% o\$ a\$ +\$"+-+"!a(a\$" se8a*a%e 4as-s\$ ea6, staff #e#4e*Es *es8e6%+-e F!a(+f+6a%+o\$ \$ 6o# 8e%e\$6+es\$ 6o\$" !6% a\$" %*a\$ffe**a4(e sA+(s 9 ,e\$ "e%e*#+\$+\$g ea6, of % ,e* a88(+6a%+o\$ fo* 6o\$-e*s+o\$ %o a 8e*#a\$e\$% a88o+\$%#e\$% a\$" \$o% %o g+-e 8*e"o#+\$a\$6e o* s!6, o-e*9 ,e(#+\$g 9e+g, % %o % ,e 6o\$+\$e*a%+o\$ of % ,e f+\$%e #a\$"a%e of

72. I% *es!(%s f*o# Gueben et. al. 201@1UNAT1@92 %,a% %,e #a+\$ g!+"e(+\$es %,e

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