

Case T-53/91

Nicolas Mergen

v

Commission of the European Communities

(Officials — Failure to enter an official on the list
of officials considered most deserving of promotion)

Judgment of the Court of First Instance (Fifth Chamber), 10 July 1992 II - 2042

Summary of the Judgment

1. *Officials — Actions — Measure adversely affecting an official — Meaning — Preparatory measure — Opinion of an advisory body — Excluded*
(Staff Regulations, Arts 90 and 91)
2. *Officials — Promotion — Comparison of merits — Criteria — Discretion of the administration — Review by the Court — Limits*
(Staff Regulations, Art. 45)
3. *Officials — Promotion — Complaint by a candidate who was not promoted — Decision rejecting the complaint — Obligation to state reasons*
(Staff Regulations, Arts 45 and 90(2))