

UN%G8 ,+s sele9t-on *eBuest +n fa.ou* of t>o of t,e *e9ommended 9and+dates
endo*sed 7" t,e C ' C: one 0s.). 2. and 0s. C. 2.

E.

13. The Tribunal's decision No. 51 of 30 March 2013 rejected the Applicant's motion and ordered the Respondent to disclose the documents concerning one of the selected paragraphs of the "estimated monthly workload standard of United Nations".

assessment of the ,+ing manage* 7e9ause t,e A66!+9ant >as
e9ommended fo t,e 6osts)

9. The A66!+9ant 7ea*s t,e 7u*den of 6*o.+ng t,*oug, 9!ea* and
9on.+n9+ng e.+den9e t,at ,e >as den+ed a fa+* 9,an9e of 6*omot+on)

d. The am of t,e >*+tten test >as to s,o*t!+st su99essfu! 9and+dates fo* a
9om6eten9"37ased +nte*.+e>D s+n9e t,e A66!+9ant >as +nte*.+e>ed t,e
>*+tten test d+d not 6*e?ud+9e ,+m)

e. The ,*ee e.a!uato*s of t,e >*+tten test s9o*ed t,e tests +nde6endent!"
and anon"mous!"D

f. A staff mem7e* ,as no *+g,t to 6*omot+on and fa.ou*a7!e 6e*fo*man9e
*e6o*ts and sen+o*+t" 9annot 7e 9ons+de*ed as g+.+ng *+se to an eC6e9tan9" of
6*omot+on)

g. The &e9*eta*"3Gene*a! ,as 7*oad d+s9*et+on +n matte*s of a66o+ntment
and 6*omot+on)

,.

66a*ent=8 ds9*m+nat+on8 fa!u*e to g+. e a 6a*t" fu!! and fa+* 9ons+de*at+on and +n t, e fa9e of +**efuta7!e 6*o9edu*a! +**egu!a*+t+es :Majbri 20123UNAT3200=. #t +s not t, e T*+7una!!s *o!e to su7st+ute +ts o>n de9+s+on fo* t, at of t, e &e9*eta*"3Gene*a! :Abbassi 20113UNAT3110=.

Issues

23. #n ,s a66!+9at+on8 t, e A66!+9ant *a+sed matte*s +n *e!at+on to >o*- 6!a9e ,a*assment and a7use of aut, o*t". T, e T*+7una! +nfo*med , +m at t, e ,ea*+ng t, at su9, matte*s >e*e not 6*o6e*" 7efo*e +t and t, at ,e s, ou!d fo!!o> t, e su+ta7!e 9, anne!s to add*ess t, em. T, e A66!+9ant 9!a*+f+ed t, at , +s *es6e9t+. e a!!egat+ons >e*e to 7e 9ons+de*ed as 7a9-g*ound +nfo*mat+on on!". #n !+g, t of t, e a7o. e8 +n t, +s Judgment t, e a!!egat+ons of >o*- 6!a9e ,a*assment and a7use of aut, o*t" *a+sed 7" t, e A66!+9ant >+!! not 7e add*essed.

2@. T, e +ssues +n t, +s 9ase fo* dete*m+nat+on 7" t, e T*+7una! a*e:

a. 1 , et, e* one of t, e sele9ted 9and+dates fu!f+!!ed a!! t, e *eBu+*ements fo* t, e ad. e*t+sed 6osts) and

7. 1 , et, e* t, e A66!+9ant *e9e+. ed fu!! and fa+* 9ons+de*at+on du*+ng t, e sele9t+on 6*o9ess fo* t, e ad. e*t+sed 6osts.

D+d one of t, e sele9ted 9and+dates fu!f+!! t, e *eBu+*ements fo* t, e 9ontested 6ostI

25. #t +s !a*ge!" 6a*t of t, e A66!+9ant!!s 9ase t, at one of t, e sele9ted 9and+dates8 0 s. C. 2.8 d+d not fu!f+!! t, e >o*- eC6e*+en9e *eBu+*ement fo* t, e 6osts. #t +s 9!ea* t, at t, e sele9t+on of a 9and+date >, o does not meet t, e 6u7!+s, ed 9*+te*a fo* a 6ost *ende*s t, e sele9t+on 6*o9ess +**egu!a*.

26. T, e >o*- eC6e*+en9e *eBu+*ed fo* t, e ad. e*t+sed 6osts >as as fo!!o>s:

At least f+. e "ea*s of t*ans!at+on eC6e*+en9e +n a 7*oad *ange of su7?e9ts dealt >+t, 7" t, e Un+ted Nat+ons :6o!+t+9a!8 so9+a!8 lega!8 e9onom+98 f+nan9+a!8 adm+n+st*at+. e8 s9+ent+f+9 and te9, n+9a! =8 >+t, a *e9ogn+Jed s6e9+a!+Jat+on +n a 6a*t+9u!a* su7stant+. e8 te9, n+9a! o* adm+n+st*at+. e a*ea. P*efe*a7!" +n9!ud+ng t, *ee "ea*s >+t, +n t, e Un+ted Nat+ons and some eC6e*+en9e of self3*e. +s+on.

2E. The respondent provided the following information, in accordance with article 2.1 of the United Nations Convention on the Rights of the Child, used to address the costs and recommendations letter from the Applicant's previous emails.

2G. From the documents submitted, the findings that as of the time of submission, the Applicant for the addressed costs of 0 s. C. 2., and the "eas" 11 months and 15 days of the applicant - eC6e*en9e at the United Nations.¹

2. In the P5P s, used to address the costs of 0 s. C. 2. and dated that from 1 & 6tem7e* 2005 to 30 June 2008 s, e was submitted, the master's studies full-time, the s, e -ed 6a*t3t+me as a translator at a 6*. ate 9om6an" in (e?+ng from 1 Ju!" 2005 to 30 June 2008), e s, e translated; on average 20000 >ods rounded in \$ng!s, 6e* mont, <.

30. A letter of recommendation dated 1 4e7*ua*" 2008 from the Applicant's previous email and dates that 0 s. C. 2. >od as a 6a*t3t+me translator at its 9om6an" as from Ju!" 2005 and that s, e, ad translated; some 30000 >ods 6e* mont, < >, the s, e >od t, e e.

31. The respondent submitted that according to the 6*og*amme Budget for the 7+enn+um 1 031 18² a translator's >od-load at the United Nations is 18650 >ods 6e* da" >, 9, translates to 308560 >ods 6e* mont,. Consequentl" 0 s. C. 2.1s eC6e*en9e of translation at least 20000 >ods 6e* mont, at the 6*. ate 9om6an" in (e?+ng on a 6a*t3t+me 7as+ fo* t>o "eas amounted to 5E.GF of a translator's >od-load at the United Nations. 5 ' 0 & UN%G determined that, as 6e*9entage was equivalent to one "ea* and one mont, of the applicant >od-eC6e*en9e.

32. The &en+o* 5uman 'esou*9es %ff+9e* 5 ' 0 & UN%G testified that on!" 6*ofessiona! eC6e*en9e gained after the first degree is 9ons+de*ed 7" t, e

¹ 2 Ju!" 2008 to 2G & 6tem7e* 2008 3 De9em7e* 2008 to 31 De9em7e* 2008 13 June 2008 to 3 4e7*ua*" 2012 :date on >, 9, s, e added for the cost: on=.

² A/C.5/05/1 : 1 o*-3load standards for .a*ous 9atego*es of 9onfe*en9eKse* .+ng staff +n9!ud+ng 9!e*+9a! and t"6+ng staff and >od-load statistics for the .a*ous 9onfe*en9e se* .+9es in t, e 1 G63 1 GE and 1 GG31 G 7+enn+ums= of 3 0 a*9, 1 0.

%*gan+Jat+on as *e!e.ant >o*- eC6e*+en9e. &,e added t,at >,en a 9and+date +nd+9ates t,at ,e/s,e >o*-ed 6a*t3t+me8 t,en t,e tota! du*at+on of em6!o"ment >ou!d 7e *edu9ed 7" ,a!f and 9ons+de*ed as *e!e.ant eC6e*+en9e to 7e att*+7uted to t,e 9and+date. Add+ona!!"8 s,e test+fed t,at +n s+tuat+ons >,e*e +t +s +nd+9ated t,at t,e staff mem7e* >as stud"+ng >,+!e >o*-+ng8 6*ofess+ona! eC6e*+en9e ga+ned +s 6a*t+a!!" 9ounted +f deemed as *e!e.ant 6*ofess+ona! eC6e*+en9e. 5 ' 0 && UN%G 9ounts t,+s eC6e*+en9e and uses +ts d+s9*et+on to dete*m+ne >,at 6e*9entage to a99o*d +t.

33. T,+s met,od of 9a!9u!at+on +s a!so +n !+ne >+t, 6a*ag*a6, G of t,e ;Gu+de!+nes fo* dete*m+nat+on of !e.e! and ste6 on *e9*utment to t,e 6*ofess+ona! 9atego*" and a7o.e< :;t,e gu+de!+nes<= >,+9, 6*o.+des t,at ;>o*- eC6e*+en9e 9an 7e a9Bu+*ed on a fu!!3t+me o* 6a*t3t+me 7as+s. 1 o*- eC6e*+en9e a9Bu+*ed on a 6a*t3t+me 7as+s +

ot6as- 0 .29dC [2 ()- 1 0 . 1 5 2 5 (>) 1 .7

t+s- 0 .29 1 593 ()- 1 6 0 .242 (9)3.5875 (+)-2.3329(7)- 0.735 288(") 19.7162 (8)- 0.2

1 as t, e A66!+9ant a99o*ded fu!! and fa+* 9ons-de*at+on +n t, e se!e9t+on 6*o9ess fo*

