



1. B a!!"#Sat#on f#ed on 2% &a 2014' t(e A!!"#Sant' a staff mem)e\* at t(e

4. On 90 A!\*" 2014' t(e ?ns!e\$to\* Gene\*a" -.?G/0' UN+C, ' \*es!onded to t(e  
A!!"#sant@s \*e>uest fo\* management e1a"uat#on' #nfo\*m#ng (e\* t(at s#n\$e t(e  
De!ut +#g( Comm#ss#





!o1#ded 8#t( a fu"" set of do\$umentat#on' #n\$"ud#ng t(e D+ , & s(o\*t"#st#ng mat\*#E and t(e m#nutes of t(e :AC' and du" fu"f#"ed #ts mandate to \*e1#e8 t(at t(e !\*o\$ess 8as done #n \$om!"#an\$e 8#t( t(e !\*es\$#)ed !o"#\$esG

e. T(e A!!"#\$ant fa#"ed to !\*o1e t(at t(e de\$#s#on 8as )ased on #m!\*o!e\* mot#lesG t(e m#nutes of t(e :AC demonstr\*ate t(at t(e A!!"#\$ant@s nat#ona"#t 8as not ta;en #nto a\$\$ount 8(en t(e :AC de\$#ded not to \*e\$ommend (e\* fo\* t(e !ostG #n fa\$t' t(e nat#ona"#t of a ,e!\*esentat#le \$an' #n \$e\*ta#n \$#\$umstan\$es' )e ta;en #nto a\$\$ount #n t(e se"e\$#on !\*o\$essG t(e\*efo\*e' .de!end#ng on t(e !o"#t#\$a" sens#t#1#t#es on t(e g\*ound/' t(e manage\*es \*efe\*en\$e to t(e A!!"#\$ant@s nat#ona"#t 8as not #m!\*o!e\*G #t d#d' (o8e1e\*' not (a1e an #m!a\$t on t(e :AC \*e\$ommendat#onG

f. T(e A!!"#\$ant@s \$"a#m t(at s(e 8as not !\*o1#ded 8#t( t(e \*e"e1ant do\$umentat#on #s 8#t(out me\*#tG s(e 8as !\*o1#ded 8#t( t(e m#nutes of t(e :AC' t(e J, B and t(e D+ , & s(o\*t"#st mat\*#E' #n\$"ud#ng t(e 1#e8s of t(e manage\*' du" \*eda\$ted 8#t( \*es!e\$t to ot(e\* \$and#dates' #n a\$\$o#dan\$e 8#t( !a#a. 199 of t(e PPAPG

g. T(e PPAP does not !\*o1#de !\*o\*#t#H#ng staff on :?BA statusG gende\* and geog\*a!(#\$a" \*e!\*esentat#on ma )e g#1en \$ons#de\*at#on on" 8(en t(e\*e a\*e su)stant#a"" e>ua" me\*#to\*#ous \$and#datesG #n t(e \$ase at (and t(e\*e 8as a mo\*e me\*#to\*#ous \$and#date.

Scope of judicial control in appointment and promotion matters

19. I #t( \*es!e\$t to a! !o#ntment and !\*omot#on de\$#s#ons' t(e A!!ea"s T\*#)una" (as \$onstant" (e"d t(at

Unde\* A\*t#\$"e 101-10 of t(e C(a\*te\* of t(e Un#ted Nat#ons and :taff ,egu"at#ons 1.2-\$0 and 4.1' t(e :e\$\*eta\* 2Gene\*a" (as )oad d#s\$et#on #n matte\*s of staff se"e\$#on. T(e 5u\*#s!\*uden\$e of t(#s T\*#)una" (as \$"a#f#ed t(at' #n \*e1#e8#ng su\$( de\$#s#ons' #t #s t(e \*o"e of t(e UNDT o\* t(e A!!ea"s T\*#)una" to assess 8(et(e\* t(e a!!"#\$a)"e ,egu"at#ons and ,ues (a1e )een a!!"#ed and 8(et(e\* t(e 8e\*e a!!"#ed #n a fa\*#\* t\*ans!a\*ent and non2d#s\$\*#m#nato\*

manne\*. T(e T\*)una's@ \*o'e #s not to su)st#tute t(e#\* de\$#s#on fo\*  
t(at of t(e Adm#n#st\*at#on. -see Ljungdell 2012UNAT22%50

14. ?t fu\*(e\* (e"d t(at a se"e\$#on de\$#s#on s(ou"d )e u!(e"d 8(en a \$and#date  
(as \*e\$e#1ed fu"" and fa#\* \$ons#de\*at#on' 8(en d#s\$\*#m#nat#on and )as a\*e a)sent'  
8(en !\*o!e\* !\*o\$edu\*es (a1e )een fo""o8ed and 8(en a"" \*e"e1ant mate\*#a" (as  
)een ta;en #nto a\$Sount - olland 2011UNAT2122G Charles 2019UNAT223%0.

15. T(e T\*)una" (as to eEam#ne t(e \$ontested de\$#s#on aga#nst t(ese \$\*te\*#a  
8(#\$( #t 8#"" add\*ess #n tu\*n.

! andate of SAC and Career ! anagement Support Section ("C ! SS#)\$DH !

1%. , ega\*d#ng t(e !\*o!e\* a!!"#Sat#on of "ega" !\*o1#s#ons' t(e T\*)una" ta;es note  
t(at' !u\*suant to t(e PPAP' t(e :AC (as t(e mandate to \*e\$ommend t(e  
ass#gnment of !os#t#ons of ,e!\*esentat#1es' #n\$ud#ng t(e mat\$(#ng eEe\*\$#se'  
8(#'e C&: :/D+, & mandate #s "#m#ted to esta)"#s( t(e #n#t#a" s(o\*t2"#st of  
su#ta)"e \$and#dates.

14. ?ndeed' !u\*suant to t(e PPAP' t(e :AC mandate \$o1e\*s t(e fo""o8#ngF

95. T(e :AC 8#"" \*e\$ommend t(e ass#gnment of  
,e!\*esentat#1es A on t(e)as#s of PPAP.

9%. ?n eEe\*\$#s#ng #ts mandate' t(e :ACF

a. I #"" \$ons#de\* t(e "#st of su#ta)"e a!!"#Sants fo\* a  
g#1en !os#t#on \$om!#"ed ) ,P: and C&: : su)se>uent  
to a mat\$(#ng eEe\*\$#se a!!" #ng t(e esta)"#s(ed \$\*te\*#a  
a)o1eG

). ?n t(e Sou\*se of \$ons#de\*at#on of t(e "#st of su#ta)"e  
a!!"#Sants fo\* a g#1en !os#t#on' s(a"" see; t(e 1#e8s of  
\*e"e1ant manage\*s and ma \$onsu't 8#t( staff mem)e\*sG  
and

\$. I #"" se"eSt t(e most su#ta)"e a!!"#Sant fo\* a g#1en  
!os#t#on and ma;e a \*e\$ommendat#on to t(e J, B 8(#\$(

C / SS\$DH ! role in the selection exercise

13. ?n t(e !\*esent \$ase' C& : :/D+ , & found su#ta)"e )ot( t(e A!!"#\$ant and t(e su\$\$essfu" \$and#dateG (en\$e' #t !ut t(em on t(e s(o\*t2"#st fo\* \*e1#e8 ) t(e :AC. I #( \*es!e\$t to t(e A!!"#\$ant' C& : :/D+ , & noted t(at .Bsc(e (as a st\*ong !\*ote\$t#on )a\$;g\*ound and eE!e\*#en\$e as ,e!\*esentat#1e and +ead of :u)26ff#\$/ 8 (#"e #t noted t(e fo""o8#ng 8#t( \*es!e\$t to t(e se"e\$ted \$and#dateF .B\$Cu\*\*ent" UN+C , De!ut ,e!\*esentat#1e #n Be#\*ut. Jega" )a\$;g\*ound )ut (as a"so )een on !\*og\*amme !osts. Ve\* good !e\*fo\*me\* 8#t( 1a\*#ed eE!e\*#en\$e. P\*a#sed fo\* (#s manage\*a" d#!"omat#\$ and \$ommu#sat#on s;#"s. : !ea;s f'uent" D\*en\$(./

19. T(e T\*#)una" notes t(at 8 (#"e C& : : \$omments 8e\*e mo\*e e"a)o\*ate 8#t( \*es!e\$t to t(e su\$\$essfu" \$and#date t(an 8#t( \*es!e\$t to t(e A!!"#\$ant' )ot( of t(em 8e\*e du" \$ons#de\*ed and s(o\*t2"#sted. T(e\*fo\*e' s#n\$e t(e a\$tua" mandate of C& : :/D+ , & 8as "#m#ted to esta)"#s( t(e s(o\*t2"#st of su#ta)"e \$and#dates = on 8 (#\$( #t #n\$"uded t(e A!!"#\$ant = 8 (#"e t(e a\$tua" mat\$(#ng eEe\*\$#se fe"" unde\* t(e mandate of t(e :AC' t(e T\*#)una" #s sat#sf#ed t(at C& : : eEe\*\$#sed #ts mandate #n a\$So\*dan\$e 8#t( t(e PPAP.

!atching exercise %y the SAC

20. I #( \*es!e\$t to t(e mat\$(#ng \$\*te#a to )e a!!"#ed ) t(e :AC' t(e a)o1e2\*efe\*en\$ed se\$. 9% a. of t(e PPAP' \*efe\*s to t(ose esta)"#s(ed on a "#st unde\* t(e !\*e1#ous \$(a!te\* -.C\*te#a fo\* mat\$(#ng and se"e\$t#on/0 of t(e PPAP' name" F g\*ade of a!!"#\$ant' \$om!eten\$es' !e\*fo\*man\$e' \*manf C nf Co-3. 6 6 653(e)33 6 .228 (\$)-14.3252(\*





mentioned above and the "actual" matter of fact on the :AC de"e"ations (as to  
)e taken into account 8 (en eEam"ng t(e :AC m#nute



\*e>u#\*ements (a1e on" )een met to t(e a)so"ute m#n#ma" eEtent. D\*om ot(e\* \$ases' t(e T\*#)una" #s a8a\*e of mo\*e \$om!\*e(ens#1e and #nfo\*mat#1e m#nutes of s#m#"a\* )od#es. T(e ,es!ondent #s #n1#ted to \*e\$ons#de\* (#s !\*a\$t#e of m#nute ta;#ng #n o\*de\* to a1o#d futu\*e !\*o)"ems.

94. A"so' \*e\$a""ng t(e "#m#ted s\$o!e of #ts 5ud#\$a" \$ont\*"o" 8 (#\$( does not a""o8 t(e T\*#)una" to su)st#tute #ts assessment of t(e \*es!e\$t#1e me\*#ts of \$and#dates to t(at of t(e :e\$\*eta\* 2Gene\*a" t(e T\*#)una" #s sat#sf#ed t(at t(e na\*\*at#1es as \$onta#ned #n t(e m#nutes 8#t( \*es!e\$t to )ot( t(e A!!"#\$ant and t(e su\$essfu" \$and#date a\*e su!!o\*ted ) t(e \*e\$od = !a\*t#\$u"a" t(e#\* \*es!e\$t#1e fa\$t s(eets = and t(at t(e assessment of t(e su\$essfu" \$and#date ) t(e :AC 8as not )ased on 8\*ong assum!t#ons o\* e\*\*o\*s. T(e T\*#)una" #s fu\*t(e\* sat#sf#ed t(at t(e e1a"uat#on of )ot( t(e A!!"#\$ant and t(e su\$essfu" \$and#date' as \*ef"e\$ted #n t(e m#nutes' 8e\*e made aga#nst t(e \$\*te\*#a #n t(e 5o) des\$\*#!t#on' du" ta;#ng #nto a\$\$ount t(e o!e\*at#ona" \$onteEt' and t(at no \*\*e"e1ant \$ons#de\*at#on 8as ta;en #nto a\$\$ount.

&xtraneous considerations

95. ?n t(#s \*es!e\$t' and mo\*e s!e\$#f#sa" 8#t( \*es!e\$t to t(e A!!"#\$ant@s a\*gument t(at t(e de\$s#on 8as d#s\$\*m#nato\* #n 1#e8 of a manage\*@s \$omments on (e\* nat#ona"#t ' t(e T\*#)una" notes t(at t(e :AC m#nutes do not at a"" \*efe\* to t(e A!!"#\$ant@s nat#ona"#t G (en\$e' an ment#on t(e\*eof ) t(e manage\* a!ea\* to not (a1e )een ta;en #nto a\$\$ount #n t(e f#na" de\$s#on ma;#ng !\*o\$ess. T(e\*efo\*e' t(e T\*#)una" \$ons#de\*s t(at #t does not need to assess 8(et(e\* t(e A!!"#\$ant@s nat#ona"#t m#g(t (a1e )een a "eg#t#mate \$ons#de\*at#on #n assess#ng (e\* su#ta)##t fo\* t(e !os#t#on #n 1#e8 of t(e !o#t#\$a" #m!"#sat#ons \*e"at#ng to UN+C , mandate. ?n 1#e8 of t(e fo\*ego#ng' t(e A!!"#\$ant@s a\*gument t(at t(e se"e\$#on de\$s#on 8as )ased on eEt\*aneous \$ons#de\*at#ons' name" d#s\$\*m#nato\* s#n\$e #nf"uen\$ed ) (e\* nat#ona"#t ' must fa#.

ecommendation os - 0 . 9 6 0 2 2 1 (3) - 0 . 0 8 5 8 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100



40. T(e T\*)una" t(e\*efo\*e \$on\$"udes t(at t(e se"e\$#on !\*o\$edu\*e 8as \$o\*\*e\$#  
fo""o8ed' t(at t(e \$and#datu\*e of t(e A!!"#\$ant 8as g#1en fu"" and fa#\*  
\$ons#de\*at#on' and t(at t(e\*e 8as no )#as o\* !\*o\$edu\*a" f"a 8.

41. ?n 1#e8 of t(e fo\*ego#ng' t(e T\*)una" D<C?D<:F

T(e a!!"#\$at#on #s \*e\$e\$ted.

-Signed0