1. The A !"#ant #ontests h"s non\$se!e#t"on fo% the ost of Ch"ef Veh"#!es ' egu!at"on and T%ans o%t (nno)at"on *e#t"on +P\$5, & - "th the T%ans o%t D")"s"on &Un"ted Nat"ons .#onom"# Comm"ss"on fo% .u%o e +/UN.C.0, & ad)e%t"sed unde% Jo1 2 en"ng +/J20, 13§.C2§.C.\$33201\$'\$Gene)a +',.

2. As %emed"esk the A !"#ant see4s to 1enef"t f%om a fa"%k me%"t\$1ased and t%ans a%ent se!e#t"on %o#ess at ea#h stagek as -e!! as f%om f"nan#"a! #om ensat"on.

3. The ost of Ch"ef of *e#t"on +P\$5, T%ans o%t D")"s"on UN.C.& -as u1!"shed f%om 15 5 a6 to 13 Ju!6 2013 unde% J2 13\$.C2\$.C.\$33201\$'\$ Gene)a+', The A !"#ant a !"ed on 17 June 2013.

3. Pend"ng %e#%u"tment unde% the a1o)e\$ment"oned J2& the ost - as also ad)e%t"sed unde% Tem o%a%6 Va#an#6 Announ#ement +/TVA0, TVA\$13\$.C.\$ 037. 2n 17 Ju!6 2013& the A !"#ant - as se!e#ted fo% the TVA& effe#t")e 28 Ju!6 2013& and d"s#ha%ged su#h dut"es unt"! De#em1e% 2013. The D"%e#to%& T%ans o%t D")"s"on& UN.C.& ".e.& the A !"#ant9s su e%)"so% and : "%"ng 5 anage% fo% the f"!!"ng of the J2& stated "n a memo%andum of 17 Ju!6 2013& that she had made "t #!ea% to the A !"#ant that h"s se!e#t"on on the TVA d"d not #onst"tute a %om"se fo% h"s se!e#t"on fo% J2 13\$.C2\$.C.\$33201\$'\$Gene)a + ',.

5. Ten #and"dates - e%e sho%t!"sted %ega%d"ng J2 13\$. C2\$. C. \$33201\$'\$ "!"ns'\$. %t.9. 78436Gene 5a. 23, \$36'##\t0#'689(the 474. 79#aft) - TheO06(m)de%-.ent 8%+9(a)"tten \$66e5 3(1(45.)352.52.87%)2(.)\$#7889()]

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#and"dates - e%e tho%ough!6 assessed and the %o#edu

to e%fo%m h"s o% he% #u%%ent fun#t"ons. <u%the%mo%e& the A !"#ant - as made a - a%e that h"s se!e#t"on on the TVA - as no %om"se o% "nd"#at"on of h"s e)entua! se!e#t"on unde% the J2; and

h.

same d"%e#t"on. : en#e& no mean"ngfu! #on#!us"on #an 1e d%a - n f%om the f"gu%es ad)an#ed 16 e"the% a%t6.

2A. (n an6 e)ent& 16 he% o - n statements and 16 he% att"tude and he% staff"ng

o en"ngk the a !"#at"ons of #and"dates - ho ha)e su##essfu!!6 assed the %e\$s#%een"ng %o#essk togethe% - "th the names of %e\$a %o)ed e!"g"1!e #and"datesk fo% #ons"de%at"on fo% se!e#t"on.

32. Pu%suant to these %o)"s"onk the e!"g"1"!"t6 %e\$s#%een"ng of #and"dates "s s6stemat"#a!!6 #a%%"ed out 16 the human %esou%#es off"#e "n #ha%ge of the

a - %"tten test "s one of the assessment me#han"sms

att%"1uted to ea#h nume%"#a! #ode. 2n!6 u on %e#e" t of a!! of the ane! mem1e%s9 g%ades& the Adm"n"st%at")e Ass"stant #onso!"dated the"% %at"ngs 16 #a!#u!at"ng the a)e%age of the fou% assesso%s to ea#h #and"date. Fast!6& she %e a%ed a !"st sho - "ng the #and"dates9 names and the"% %es e#t")e f"na! ma%4s. The 'es ondent su1m"ts that& #onseBuent!6& ne"the% the : "%"ng 5 anage%& no% an6 othe% ane! mem1e%& 4ne - the "dent"t"es of the #and"dates - h"!e the6 - e%e g%ad"ng the tests.

30. Dh"!e the T%"1una! %eBuested to 1e %o)"ded the #ommun"#at"ons - he%e16 the d"ffe%ent ane! mem1e%s sent the"% s#o%es to the afo%esa"d Adm"n"st%at")e Ass"stant& most of them #ou!d not 1e !o#ated. The%efo%e& the 'es ondent9s fa#tua! a##ount #ou!d not 1e #o%%o1o%ated 16 do#umenta%6 e)"den#e. :o-e)e%& the Adm"n"st%at")e Ass"stant "n)o!)ed test"f"ed that the %oto#o! des#%"1ed a1o)e - as "ndeed fo!!o - ed& "n the same - a6 "t "s no%ma!!6 done "n an6 se!e#t"on e>e%#"se "n the D")"s"on. *he s e#"f"#a!!6 #onf"%med that& to the 1est of he% 4no - !edge& none of the ane! mem1e%s #ou!d ha)e !ea%nt a1out the %at"ngs g")en 16 the othe% assesso%s& 1efo%e att%"1ut"ng h"s/he% o - n.

31. The latte[%] - as [%]ele) ant s"n#e the : "%"ng 5 anage[%]9s g[%]ad"ng sheet #onta"ned o1se[%]) at"ons that #ou!d ha)e led to a #on#!us"on that she too4 #ogn"Ean#e of the #onso!"dated [%]at"ngs of the #and"dates - hen she att%"1uted he[%] g[%]ades. * e#"f"#a!!6k she - %ote /fo[%] "nte[%])"e - 0 ne>t to e>a#t!6 those #and"dates that - e[%]e e)entua!!6 "n)"ted fo[%] an "nte[%])"e - 0 ne>t to e>a#t!6 those #and"dates that - e[%]e e)entua!!6 that the #onment /fo[%] "nte[%])"e - 0 %ef!e#ted noth"ng e!se than he[%] o - n o "n"on that the #on#e[%]ned #and"dates met the standa[%]d to %og[%]ess to the ne>t stage of the assessment. Th"s a ea[%]s as a !aus"1!e e> !anat"on.

32. A##o%d"ng!6& the T%"1una! f"nds that the %o#edu%e ut "n !a#e to adm"n"ste% the - %"tten test - as adeBuate to %ese%)e the #and"dates9 anon6m"t6. The%e16& the ' es ondent has made a m"n"ma! sho - "ng that the A !"#ant9s #and"datu%e - as fa"%!6 #ons"de%ed "n the %e#%u"tment %o#ess unde% %e)"e - . As a #onseBuen#e& the %esum t"on that the adm"n"st%at"on of the test - as %egu!a% %e)a"!s "n %"n#" !e& and the 1u%den "s on the A !"#ant to demonst%ate the #ont%a%6.

The Hiring Manager's ratings

33. The A !"#ant fee!s st%ong!6 that ke)en "f the nume%"#a! #odes - e%e used the : "%"ng 5 anage% #ou!d ha)e %e#ogn"sed h"s test th%ough h"s - %"t"ng st6!ek as the6 had leen - o%4"ng togethe% fo% a fe - 6ea%s at that o"nt and k as he% manage% she had often %ead - %"tten - o%4 he %odu#ed. Dh"!e the : "%"ng 5 anage% %eto%ted that she - ou!d le unal!e of %emem1e%"ng the st6!e of ea#h of he% nume%ous su e%)"sees the A !"#ant st%essed that 1a%e!6 ten #and"dates sat the test and he - as the so!e one a!%ead6 se%)"ng at the T%ans o%t D")"s"on; hen#ek the : "%"ng 5 anage% on!6 had to %e#ogn"se h"m amongst ten.

33. (t "s a %o %"ate to %e#a!! that the *e#%eta%6\$Gene%a! en?o6s - "de d"s#%et"on "n matte%s of se!e#t"on and %omot"on. (t "s a - e!! sett!ed %"n#" !e that the T%"1una!9s %o!e "s not to su1st"tute "ts o - n ?udgment to that of the Adm"n"st%at"on +see e.g.& Abassi

3A. As to the fa#t that the one ane! mem1e% ha)"ng an