



Introduction

discretionary) authority) of the Administration to terminate a recruitment procedure and/or to initiate a new one on sound reasons* such as on account of irregularities (which occurred in the recruitment process) (Kinyanjui 2019/UN-T/69325).

30. Before coming to a decision of the Board, the Tribunal is satisfied that the decision to cancel the first selection exercise (as within the discretionary) authority) of the Administration, is based on sound reasons* namely the undisputed fact that the Applicant's supervisor (who, as also the Hiring Manager in the first selection exercise* disclosed confidential information to the Applicant in regard to the selection exercise prior to the completion of the selection process. In this regard, the Tribunal notes a series of text messages dated 6 July 2017* in which the Hiring Manager informed the Applicant that it is uncertain whether the recommendation of the Applicant (which she accepted) to the Executive Director due to gender considerations* but that she would advocate on his behalf. On 18 July 2017* before the Panel of Appeal, the Applicant had submitted its recommendation to the Executive Director on 22 July 2017* the Applicant indicated in an email to the Hiring Manager that he had recommended her for the post. She further stated in the email that he referred his candidate (who had not applied) to the Executive Director.

31. The Tribunal finds that the above noted changes represent a breach of confidentiality) in the recruitment process. As a result, it (as a reasonable exercise of discretion) of the Executive Director to cancel the selection exercise and initiate a fresh recruitment process once she (as informed of the breach of confidentiality).

32. In light of the evidence shown that the Executive Director decided to cancel the selection exercise on the grounds of breach of confidentiality)* the Applicant claims

