Introduction

1. ! " a##$%&at%on f%$ed on 6 ' a(&) 2014* t)e A##$%&ant &ontests t)e de&%s%on to a##o%nt a ma$e &and%date ot)e(t)an)%m to one of t)e t+o #osts of ,en%o(-nte(#(ete(./ng$%s)0 at t)e -nte(#(etat%on ,e(1%&e* De#a(tment of Confe(en&e ' anagement .DC ' 0* #u2$%s)ed unde(Jo2 3#en%ng .4J350 No. 1 67AN6UN3G6 28868696G/N/VA .70 .P65 $e1e$0.

2. :e (e;uests t)e (es&%ss%on of t)e de&%s%on to se$e&t t)e ot)e(&and%date fo(one of t)e #osts .4t)e se$e&ted &and%date50 and t)at t)e se$e&t%on #(o&edu(e 2e (esta(ted. At t)e o(a$)ea(%ng*)e &$a(%f%ed t)at)e d%d not see< &om#ensat%on fo(mo(a$ damages.

Facts

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&and%date* due #(o&ess and t)e %nde#enden&e of s%gnato(%es +e(e not (es#e&ted %n t)e se$e&t%on #(o&ess@

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d. T)e A##$%&ant d%d not s)o+ an" #(o&edu(a$ e((o(o(#(esent a &$ea(and &on1%n&%ng e1%den&e of 2%as to+a(ds)%m* to ;uest%on t)e 1a$%d%t" of t)e d%s&(et%ona(" se$e&t%on de&%s%on@

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names of a$$ (oste(ed &and%dates > %n&$ud%ng t)e A##$%&ant > and t)e P : Ps of t)e (e&ommended &and%dates* t)e A&t%ng D%(e&to(6Gene(a$ too< an %nfo(med de&%s%on@

<. T)e se$e&t%on de&%s%on +as made %n a&&o(dan&e +%t) t)e C)a(te(of t)e Un%ted Nat%ons@ t)e 9es#ondent met t)e standa(d set 2" t)e A##ea$s T(%2una$ %n Eudgment Rolland .20116UNAT6122 0 to ma<e a m%n%ma$ s)o+%ng t)at t)e A##$%&antFs &and%datu(e +as g%1en fu$$ and fa%(&ons%de(at%on@ t)e #(esum#t%on of (egu$a(%t" s)ou$d stand and t)e a##$%&at%on 2e (eEe&ted %n %ts ent%(et".

19. T)e su&&essfu$ &and%date* +)o +as Eo%ned to t)e a##$%&at%on unde(a(t. 11 of t)e T(%2una$Fs 9u$es of P(o&edu(e* a$$eges t)at)%s ;ua$%f%&at%ons and eB#e(%en&e a(e su#e(%o(to t)ose of t)e ot)e((oste(ed &and%dates and t)at)e fu$f%$s a$$ t)e (e;u%(ements of t)e #ost.

Consideration

20. T)e T(%2una$ (e&a$$s t)e Eu(%s#(uden&e of t)e A##ea$s T(%2una$ %n a##o%ntment and #(omot%on matte(s* +)e(e2" a se$e&t%on de&%s%on s)ou$d 2e u#)e$d +)en &and%dates)a1e (e&e%1ed fu$$ and fa%(&ons%de(at%on* +)en d%s&(%m%nat%on and 2%as a(e a2sent* +)en #(o#e(#(o&edu(es)a1e 2een fo$$o+ed and +)en a$$ (e$e1ant mate(%a$)as 2een ta<en %nto a&&ount .Rolland 20116UNAT6 122@ Charles 201 6UNAT62A60. -n add%t%on* t)e A##ea$s T(%2una$)as &$a(%f%ed t)at t)e 4d%(e&t effe&t of an %((egu$a(%t" +%$$ on$" (esu$t %n t)e (es&%ss%on of t)e de&%s%on

22. H%t) (es#e&t to t)e #e(son +)o a&ted as :%(%ng 'anage(* t)e 9es#ondent a(gues t)at a C)%ef of ,e&t%on &ou$d $eg%t%mate$" 2e a##o%nted as 3-C* -,* %n a&&o(dan&e +%t) staff (u$e .10.a0* and f(om t)e(e de(%1e)%s &a#a&%t" to a&t as :%(%ng 'anage(%n t)e se$e&t%on #(o&ess fo(t)e &ontested #ost@)e fu(t)e(notes t)at %n an" e1ent* t)e f%na$ se$e&t%on de&%s%on +as ta<en 2" t)e A&t%ng D%(e&to(6Gene(a$* UN3G* +)o* unde(t)e te(ms of ,T/A-/2010/ /Amend.1* &ou$d)a1e &)osen an" of t)e f%1e (ema%n%ng (oste(ed &and%dates > %n&$ud%ng t)e A##$%&ant > +)o +e(e not (e&ommended fo(se$e&t%on 2" t)e :%(%ng 'anage(.

2 . T)e T(%2una$ +%s)es to em#)as%Ie t)at %t (esu$ts f(om 1a(%ous #(o1%s%ons of ,T/A-/2010/ /Amend. 1 t)at t)e :%(%ng 'anage(#$a"s an %m#o(tant (o$e at a$$ t)e stages of t)e se$e&t%on #(o&ess* f(om t)e %n%t%at%on of t)e Eo2 o#en%ng to t)e (e&ommendat%on to t)e)ead of de#a(tment? t)e :%(%ng 'anage(%s (es#ons%2$e fo(&(eat%ng t)e Eo2 o#en%ng .se&. 4.40@ on&e e$%g%2$e &and%dates)a1e 2een #(e6s&(eened/#(e6a##(o1ed* t)e" a(e (e$eased to t)e :%(%ng 'anage(fo(&ons%de(at%on fo(se$e&t%on .se&. 8.20@ mo(eo1e(* t)e :%(%ng 'anage(#(e#a(es a (easoned and do&umented (e&o(d of t)e e1a$uat%on of t)e #(o#osed &and%dates fo((e1%e+ 2" t)e &ent(a$ (e1%e+ 2od" and fo(se$e&t%on 2" t)e)ead of de#a(tment .se&. 8.60@ unde(se&. 8.8* t)e :%(%ng 'anage(t(ansm%ts)%s/)e(#(o#osa$ of one o(se1e(a$ .un(an<ed0 &and%dates to t)e a##(o#(%ate &ent(a$ (e1%e+ 2od"@ se&. 9.2 #(o1%des t)at on&e &and%dates a(e 4a##(o1ed5 2" t)e &ent(a$ (e1%e+ 2od"* t)e

29. As a matte(of fa&t* u#on t)e t(ansfe(of t)e #ost of C)%ef* -,* to DGAC ' at t)e end of ,e#tem2e(201 * -, +as de#(%1ed of t)e D61 #ost* t)oug) t)e 9es#ondent noted and adm%tted t)at t)e need of se(1%&e fo(t)at #ost &ont%nued to eB%st. -n t)at s%tuat%on* t)e Adm%n%st(at%on of UN3G a&ted as %f t)e D61 #ost)ad not 2een t(ansfe((ed* to t)e eBtent t)at %t a##o%nted an 3-C to +)om %t eBtended* de facto* t)e same aut)o(%t" 1ested on t)e C)%ef* -,* t)at %s* inter alia* to a&t as :%(%ng ' anage(fo(t)e &ontested #ost.

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5. U#on t)e T(%2una$Fs eB#(ess %n;u%(" at t)e)ea(%ng* t)e A##$%&ant &onf%(med t)at)e d%d not (e;uest &om#ensat%on fo(mo(a$ damages.

Conclusion

6. -n 1%e+ of t)e fo(ego%ng* t)e T(%2una$ D/C-D/,?

a. T)e de&%s%on to se$e&t t)e se$e&ted &and%date fo(one of t)e #osts ad1e(t%sed unde(J3 1 67AN6UN3G62886896G/N/VA .70 .P65 $e1e$0 %s (es&%nded@

2. -n &ase t)e 9es#ondent e$e&ts to #a" &om#ensat%on %nstead of t)e (es&%ss%on* t)e amount of &om#ensat%on to 2e #a%d to t)e A##$%&ant %s set at U,D2*000@

&. T)e afo(ement%oned &om#ensat%on s)a$$ 2ea(%nte(est at t)e Un%ted ,tates #(%me (ate +%t) effe&t f(om t)e date t)%s Judgment 2e&omes eBe&uta2$e unt%$ #a"ment of sa%d &om#ensat%on.2a3.0078q5Tn7] T J D-28.32 -20.76 T d D [