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

4. 6n 90 A!\*#" 2014' t(e ?ns!e\$to\* Gene\*a" - .?G/0' UN+C, '\*es!onded to t(e A!!"#\$ant@s \*e>uest fo\* management e1a"uat#on' #nfo\*m#ng (e\* <math>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 8 as done #n \$om!"#an\$e 8#t( t(e !\*es\$\*#)ed !o"#\$#es6

- e.  $T(e A!!"\#\$ant fa\#"ed to !*o1e t(at t(e de\$\#s\#on 8 as )ased on \#m!*o!e*mot\#1es6 t(e m\#nutes of t(e : AC demonst*ate t(at t(e A!!"\#\$ant@s nat\#ona"#t 8 as not ta;en #nto a\$\sumbedown unt 8 (en t(e : AC de\$\#ded not to *e\$ommend (e* fo* t(e !ost6 #n fa\$t' t(e nat\#ona"#t of a ,e!*esentat#1e \$an' #n \$e*ta\#n \$#*\$umstan\$es' )e ta;en #nto a\$\sumbedount #n t(e se"e\$t\#on !*o\$ess6 t(e*efo*e' .de!end\#ng on t(e !o"\#t\$a" sens\#t\#1\#t\#es on t(e g*ound/' t(e manage*@s *efe*en\$e to t(e A!!"\$ant@s nat\#ona"\#t 8 as not \#m!*o!e*6 \#t d\#d' (o 8 e1e*' not (a1e an \#m!a\$t on t(e : AC *e\$ommendat\#on6$
- 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\*#t $^\circ$ 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 PPAP@
- g. T(e PPAP does not !\*o1#de !\*#o\*#t#H#ng staff on :?BA status@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#dates@#n t(e \$ase at (and t(e\*e 8 as 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(atF

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\$t#on. T(e 5u\*#s!\*uden\$e of t(#s  $T^*$ )una" (as \$"a\*#f#ed t(at' #n \*e1#e 8#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 ,u"es (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 20122UNAT22%50

- 14. ?t fu\*t(e\* (e"d t(at a se"e\$t#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 (ale )een fo""o8ed and 8(en a"" \*e"e1ant mate\*#a" (as )een ta;en #nto a\$\$ount olland 20112UNAT21226 Charles 20192UNAT223%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!!"#\$at#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 \$01e\*s t(e fo""o 8#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!!"#\$ants fo\* a g#1en !os#t#on <math>om!#"ed) , P: and C&:: su)se>uent to a mat#omega omega #ge ee\*\$#omega #ge t(e esta)"#omega goleG
    - ). ?n t(e \$ou\*se of \$ons#de\*at#on of t(e "#st of su#ta)"e a!!"#\$ants 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"e\$t t(e most su#ta)"e a!!"#\$ant fo\* a g#1en !os#t#on and ma; e a \*e\$ommendat#on to t(e J, B 8 (#\$('

## C ! SSIDH ! 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#date6 (en\$e' #t!ut t(em on t(e s(o\*t2"#st fo\* \*e1#e8)) t(e:AC. I #t( \*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#\$e/' 8 (#"e #t noted t(e fo""o 8#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 \$ommun#\$at#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\*efo\*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\$\$o\*dan\$e 8#t( t(e PPAP.

! atching exercise %y the SAC

20. I #t( \*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-3.66653(e)336.228(\$)-14.3252(\*

ment#oned a)o1e and t(e#\* atua" #m!at' #f an ' on t(e : AC de"#)e\*at#ons (as to )e ta;en #nto atua0 (en eEam#n#ng t(e : AC m#nute

\*e>u#\*ements (ale 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""o 8 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\$o\*d = !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 8 as 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#\$a"" 8#t( \*es!e\$t to t(e A!!"#\$ant@s a\*gument t(at t(e de\$#s#on 8 as 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 @ (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#e 8 of t(e !o"#t#\$a" #m!"#\$at#ons \*e"at#ng to UN+C, mandate. ?n 1#e 8 of t(e fo\*ego#ng' t(e A!!"#\$ant@s a\*gument t(at t(e se"e\$t#on de\$#s#on 8 as ) 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 8d2 3 pt) y p @ 55 (\$55) (01.#8 7. 4 5 4 75 (\$5) a) 8 0 .. 4 15 96 35 (

- 40. T(e T\*#)una" t(e\*efo\*e \$on\$"udes t(at t(e se"e\$t#on !\*o\$edu\*e 8 as \$o\*\*e\$t" fo""o 8 ed' t(at t(e \$and#datu\*e of t(e A!!"#\$ant 8 as g#1en fu"" and fa#\* \$ons#de\*at#on' and t(at t(e\*e 8 as no )#as o\* !\*o\$edu\*a" f"a 8.
- 41. ?n  $1 \neq 8$  of t(e fo\*ego#ng' t(e T\*#)una" D<C?D<:F

T(e a!!"#\$at#on #s \*e5e\$ted.

-Signed0