

Introduction

1. By application filed on 16 December 2010 and registered under case number UNDT/GVA/2010/116, the Applicant requests the United Nations Dispute Tribunal to suspend, during the pendency of the management evaluation, the implementation of the decision not to interview him for a vacancy for which he had applied.

Facts

2. The Applicant works as a Chinese Reviser, at level P-4, in the Division of Conference Services, United Nations Office at Geneva, under a permanent appointment.

3.

7. Responding to another request from the Chief of the Chinese Translation Service, the Applicant provided another writing sample on 9 December 2010.
8. By an email of 12 December 2010, the Chief of the Chinese Translation

according to which candidates are shortlisted “based on a review of their documentation”;

- iv. His application was not given full and fair consideration;
 - v. He has unsuccessfully applied to a number of positions in New York since 2005. His intentional exclusion from the selection process is further indicative of the harassment and retaliation he has been subjected to by the Chief of the Chinese Translation Service;
- b. The case is of particular urgency because:
- i. The Chief of the Chinese Translation Service is about to appoint another candidate;
 - ii. His mother’s poor health makes it necessary for him to relocate in New York as soon as possible;
- c. Irreparable damage will be caused because:
- i. He would lose an opportunity to be fairly considered for the vacant posts;
 - ii. His professional advancement would be disrupted;

consideration. Further, his contention that he suffered harassment and retaliation is unfounded;

c. The Application has not shown that there was any urgency;

d. The Applicant has not established that he will suffer irreparable damage. He applied for a lateral transfer and, should he not be selected, he will remain employed at the same level.

Considerations

13. The Tribunal first considers the admissibility of the application. In his application, the Applicant seeks to challenge the decision to cancel his telephone interview. In his observations on the Respondent's reply, the Applicant emphasizes that he "requests that the [selection] process be announced null and void".

14.

are not in themselves capable of adversely affecting the applicant's legal situation since they modify neither the scope nor the extent of his rights. Consequently, an appeal against such decisions must be considered irreceivable.

17. The same applies to the Applicant's case. The decision not to invite him