

# UNDT/2019/088, Mohamed

## UNAT Held or UNDT Pronouncements

Any irregularity in the selection process had no impact on the selection status of the Applicant because, no matter what, she had no foreseeable chance of promotion.

## Decision Contested or Judgment/Order Appealed

The nonselection of the Applicant for a Senior Human Resources Policies Officer, P5 post, and the selection of another candidate.

## Legal Principle(s)

The principle of presumption of regularity is to be applied when judicially reviewing selection decisions. When interpreting a written norm, such as the description of the educational requirement in the JO, the point of departure for the Tribunal is the plain meaning rule, meaning that it is to pay attention to the literal terms of the norm. When the language used in the respective disposition is plain, common and causes no comprehension problems, the text of the rule must be interpreted upon its own reading, without further investigation. The purpose of a written test and a competency-based interview in a selection process is not to examine the candidates' personal and professional experiences based on their curriculum vitae but to assess the candidates' competencies as outlined in the Job Opening.

## Outcome

Dismissed on merits

## Full judgment

[Full judgment](#)

## Applicants/Appellants

Mohamed

## Entity

ICSC

## Case Number(s)

UNDT/NY/2017/005

## Tribunal

UNDT

## Registry

New York

## Date of Judgement

20 May 2019

## Language of Judgment

English

## Issuance Type

Judgment

## Categories/Subcategories

Staff selection (non-selection/non-promotion)