

# UNDT/2019/185, Krioutchkov

## UNAT Held or UNDT Pronouncements

The Organization cannot be held responsible for incorrect information entered by the Applicant that resulted in his screening out of the recruitment process. The lawfulness of the screening out of the Applicant's candidature does not hinge on whether the Administration knew or could/should have known that the Applicant's degree was of a higher level than the one indicated in his PHP. The issue of whether the Applicant's candidature was pre-screened by a Human Resources Officer is irrelevant in determining whether his candidature received full and fair consideration. Hence, implicitly considering that the outcome of the pre-screening exercise was exclusively relevant to assess the lawfulness of the contested administrative decision. Finally, the Applicant's claim concerning the loss of concrete chances for career development due to limited or no mobility within the UN translators' professional group is not relevant for the adjudication of the present case, where the Applicant challenges, and is entitled only to challenge, a specific administrative decision and not a general administrative practice. Although in the abstract this could be relevant for the examination of damages, it is not relevant in the present case in view of the finding that the contested administrative decision was lawful.

## Decision Contested or Judgment/Order Appealed

The Applicant contested his non-consideration and eventual non-selection for the position of Russian Reviser/Self-Revising Translator (P-4) at the United Nations Office at Vienna (UNOV).

## Legal Principle(s)

Sec. 7.1 of ST/AI/2010/3 provides that job applicants will be pre-screened on the basis of the information provided in their job application to determine whether they meet the minimum requirements of the job opening and sec. 5.1, which specifies that applications cannot be amended following their submission.

## Outcome

Dismissed on merits

Full judgment

[Full judgment](#)

Applicants/Appellants

Krioutchkov

Entity

ESCAP

Case Number(s)

UNDT/GVA/2017/089/R1

Tribunal

UNDT

Registry

Geneva

Date of Judgement

20 Dec 2019

Duty Judge

Judge Buffa

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Staff selection (non-selection/non-promotion)

Applicable Law

Administrative Instructions

- ST/AI/2010/3

Other UN issuances (guidelines, policies etc.)

- Inspira Applicant's Manual

Related Judgments and Orders

UNDT/2018/104

2019-UNAT-919