

2011-UNAT-112, Abbasi

UNAT Held or UNDT Pronouncements

UNAT considered an appeal by the Secretary-General. UNAT held that no gender discrimination took place against Ms Abbasi. UNAT held that UNDT erred in finding that there was gender discrimination against her. UNAT held that the Administration applied UNICEF's Gender Parity and Equality Policy in Ms Abbasi's favour. UNAT did not find any violation of the right to be equally considered – or even favoured for reasons of gender – in the evaluation criteria applied or in the decisions taken by UNICEF during the selection process. UNAT upheld the appeal and vacated the UNDT judgment.

Decision Contested or Judgment/Order Appealed

Ms Abbasi contested her non-selection for three positions. UNDT found she suffered from gender discrimination and awarded compensation.

Legal Principle(s)

A decision not to select a staff member may be rescinded in circumstances where he or she did not receive fair and adequate consideration, there has been any kind of discrimination or bias against the staff member, or the proper staff selection procedures were not followed.

Outcome

Appeal granted

Full judgment

[Full judgment](#)

Applicants/Appellants

Abbasi

Entity

UNICEF

Case Number(s)

2010-107

Tribunal

UNAT

Registry

New York

Date of Judgement

11 Mar 2011

President Judge

Judge Simón

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Discrimination and other improper motives

Gender

Staff selection (non-selection/non-promotion)

Full and fair consideration

Applicable Law

Other UN issuances (guidelines, policies etc.)

- UNICEF Gender Parity and Equality Policy

Related Judgments and Orders

UNDT/2010/055