

2014-UNAT-445, Terragnolo

UNAT Held or UNDT Pronouncements

UNAT preliminarily denied the Appellant's motion to submit an amicus curiae brief. On the merits, UNAT noted that the Board of Examiners found the Appellant to be one of 68 applicants who, although meeting the minimum requirements, were not deemed the most qualified and therefore not convoked to the examination. UNAT held that the appeal did not identify any errors in the reasoning of UNDT and found no basis for disagreeing with UNDT. UNAT dismissed the appeal and upheld the UNDT judgment.

Decision Contested or Judgment/Order Appealed

The Applicant contested the decision not to admit him to the 2012 Competitive Exam for French Associate Editor at the P-2 level. UNDT rejected the application, noting that he had not submitted the mandatory French essay as part of his application. UNDT further held that the Applicant had failed to meet the burden of proving that the contested decision was motivated by improper motives.

Legal Principle(s)

The appeals procedure is of a corrective nature and is thus not an opportunity for a party to reargue their case. A party cannot merely repeat on appeal arguments that did not succeed before the UNDT; rather, it must demonstrate that the UNDT committed an error of fact or law, warranting the intervention by UNAT.

Outcome

Appeal dismissed on merits

Full judgment

[Full judgment](#)

Applicants/Appellants

Terragnolo

Entity

DGACM

Case Number(s)

2013-514

Tribunal

UNAT

Registry

New York

Date of Judgement

27 Jun 2014

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Staff selection (non-selection/non-promotion)

Selection decision

Related Judgments and Orders

UNDT/2013/092

2011-UNAT-141
2013-UNAT-285
2013-UNAT-325
2012-UNAT-263
2010-UNAT-035