

2014-UNAT-477, Charles

UNAT Held or UNDT Pronouncements

UNAT held that the Appellant did not succeed in establishing any error of fact or law that would warrant reversal of the UNDT judgment. UNAT held that UNDT correctly concluded that the non-selection of the Appellant was not vitiated by any improper motive. UNAT noted that, even if the alleged flaws were to be considered irregularities, they would not be important enough to render the proceedings null or to reflect a violation of rights and actual harm or discrimination suffered by the Appellant. UNAT held that no compensation should be awarded to the Appellant, as no illegality or breach of his rights was found. UNAT dismissed the appeal and affirmed the UNDT judgment.

Decision Contested or Judgment/Order Appealed

The Applicant contested the decision to not select him for a post. UNDT found that the Applicant failed to substantiate his claim that the selection process was tainted by bias or improper motive. UNDT also dismissed the Applicant's claim that the delay in receiving a response from the Management Evaluation Unit caused him loss or damage. UNDT dismissed the application.

Legal Principle(s)

A claim about a non-selection decision resulting from a contested competitive process must be decided on a case-by-case basis, by assessing if the selection methods applied during the different stages of the process were in accordance with the applicable norms and provided a fair, objective, and non-discriminatory treatment of all the candidates.

Outcome

Appeal dismissed on merits

Full judgment

[Full judgment](#)

Applicants/Appellants

Charles

Entity

UNON

Case Number(s)

2014-550

Tribunal

UNAT

Registry

New York

Date of Judgement

17 Oct 2014

President Judge

Judge Simón

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Staff selection (non-selection/non-promotion)

Selection decision

Related Judgments and Orders

UNDT/2013/142