

UNDT/2024/031, Abdelaal

UNAT Held or UNDT Pronouncements

The Tribunal observed that a review of the evidence in this case indicated that the panel's assessment of the Applicant's interview was proper. Accordingly, the Tribunal held that the Applicant received full and fair consideration and that the Administration followed all applicable procedures.

Decision Contested or Judgment/Order Appealed

The Applicant contested the decision to not select him for the position of Information Analyst, P-4, Office of Political Affairs, with the United Nations Assistance Mission for Iraq.

Legal Principle(s)

According to the jurisprudence of the Tribunal, in staff selection matters the starting point is the presumption that official functions have been regularly performed. This presumption is satisfied where management minimally shows that the staff member's candidature was given fair and adequate consideration. Once management satisfies this initial requirement, the burden shifts to the Applicant to show through clear and convincing evidence that he was not given fair and adequate consideration.

Outcome

Dismissed on merits

Full judgment

[Full judgment](#)

Applicants/Appellants

Abdelaal

Entity

UNAMI

Case Number(s)

UNDT/NBI/2023/036

Tribunal

UNDT

Registry

Nairobi

Date of Judgement

9 May 2024

Duty Judge

Judge Wallace

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Reasons

Administrative decision

Applicable Law

Administrative Instructions

- ST/AI/2010/3

UN Charter

- Article 101

Related Judgments and Orders

2015-UNAT-496

UNDT/2021/134

2015-UNAT-496

2020-UNAT-985

2017-UNAT-762

2011-UNAT-110

2011-UNAT-122