

UNDT/2024/060, Terrine

UNAT Held or UNDT Pronouncements

The Tribunal DECIDES to dismiss the application in its entirety.

Decision Contested or Judgment/Order Appealed

The Applicant contested: 1) the decision, communicated in an email of 28 July 2022, of “the sudden and abrupt suspension of the aforementioned decision of 19 July 2022”; 2) the decision dated 29 July 2022, the the Summary of Decisions on Assignments and Appointments,taken by the High Commissioner assigning the Applicant to the post of Assistant Representative (Administration,P-5) in Addis Ababa; 3) the decision of 11 November 2022 confirming the Applicant’s assignment to Addis Ababa.

Legal Principle(s)

According to RAAI para. 10, the “paramount consideration in selecting candidates for appointment and assignment is the necessity of securing the highest standards of efficiency, competence and integrity in UNHCR’s workforce in accordance with corporate and operational needs and priorities, taking into consideration the personal and professional needs of individuals to the extentpossible”.

Outcome

Dismissed on merits

Outcome Extra Text

There is always a presumption that official acts have been regularly performed. This is called a presumption of regularity. [...] Thereafter the burden of proof shifts to the Appellant who must be able to show through clear and convincing evidence that she was denied a fair chance of promotion.”

Full judgment

[Full judgment](#)

Applicants/Appellants

Terrine

Entity

UNHCR

Case Number(s)

UNDT/NBI/2022/123

Tribunal

UNDT

Registry

Nairobi

Date of Judgement

12 Sep 2024

Duty Judge

Judge Wallace

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Discretionary authority

Reassignment or transfer

Applicable Law

Administrative Instructions