



UNITED NATIONS APPEALS TRIBUNAL
TRIBUNAL D 'APPEL DES NATIONS UNIES

Judgment No. 2014-UNAT-477

Charles
(Appellant)

v.

Secretary-General of the United Nations
(Respondent)

J J

Counsel for Mr. Charles:

Self-represented

Counsel for Secretary-General:

Amy Wood

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identities of the candidates to whom the alphabetical letters were assigned until after the assessment.

... The responses to the test were evaluated against pre-determined criteria. A passing mark consisted of an acceptable essay (with assessments ranging from “poor”

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- c. There is no evidence before the UNDT that supports its finding that “[t]he test was

7. Mr. Charles requests that the Appeals Tribunal reverse the UNDT Judgment and order the Secretary-General to pay compensation for moral damages for “the harm caused to [him] by the failure to afford him full and fair consideration and for the consequential pain and suffering experienced”.

The Secretary-General's Answer

8. The UNDT properly concluded that the selection process was correctly conducted and lawful in all respects. The UNDT fully considered each of Mr. Charles' claims that the selection process was vitiated due to the manner in which the selection exercise was conducted, but found no evidence to support his claims.

9. Mr. Charles has failed to substantiate his claim that he was prejudiced by any delay in transmitting the exam. The evidence on record reflects that he received the test no later than 5:35 pm, but more importantly and regardless of the length of the delay, he suffered no harm because he was provided with additional time to complete the exam.

10. Mr. Charles has failed to demonstrate that he was prejudiced by an alleged lack of clear exam instructions. The Administration acted within its discretion to assign different weights to particular questions and evaluated all candidates based on the same scoring system which was determined before the exam was administered. In any event, Mr. Charles failed to answer one-third of the exam questions and therefore did not perform well enough to qualify for the competency-based interview process.

11. Furthermore, contrary to Mr. Charles' co.0007 T wecse4(t. C ()Tj /evaluate)dditarl2ld4TrD .00.4(d)-4.

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