

4. Upon assessment by the @A's and dates of the (an t(e A !"#ant 3e&e "n"t"ally s(o&t!"sted and "n."ted fo& a #om eten#y,%ased "nte&."e3. T(e @A (ad dete&m"ned t(at t(e A !"#ant d"d not meet a!! t(e &e:u"&ements of t(e ost' "n a&t"#u!a& 3"t(&es e#t to 3o&; e< e&"en#e. To Cust"fy (e& de#"s"on' t(e @A 3&ote "n Inspira&

\$. Do!o3"ng &e#e" t of t(e #!a&"f"#at"ons' t(e C7B endo&sed t(e &e#ommendat"on &esented to "t' and on 22 June 2012' "ts a &o.a! 3as su%mtted to t(e 0e#&eta&y, Gene&a! of UNCTAD' not"ng t(at (e #ou!d &o#eed 3"t(t(e f"na! se!e#t"on' 3 ("#((e d"d.

9. By e,ma"! of 29 June 2012' t(e @A "nfo&med t(e A !"#ant of t(e de#"s"on to se!e#t anot(e& #and"date fo& t(e #ontested ost. By e,ma"! of 22 July 2012 and su%se:uent &em"nde& of \$ August 2012' t(e A !"#ant &e: uested feed%a#; f&om t(e @A on ("s non,se!e#t"on' "n#!ud"ng t(e &eason 3(y (e (ad not %een "n."ted fo& an "nte&."e3.

10. *n 21 August 2012' a gene&"# e,ma"! 3as sent to t(e A !"#ant f&om t(e a##ount (["ngGde a&tmentHun.o&g](#)) "nfo&m"ng ("m t(at ("s a !"#at"on fo& t(e #ontested ost 1=3ou!d> not %e #ons"de&ed fu&t(e&2.

11. *n 24 August 2012' t(e A !"#ant &e: uested adm"n"st&at".e &e."e3 of t(e de#"s"on to se!e#t anot(e& #and"date fo& t(e #ontested ost.

12. By !ette& of 9 *#to%e& 2012 f&om t(e Unde&,0e#&eta&y, Gene&a! fo& A anagement' #ommun"#ated to t(e A !"#ant %y e,ma"! of 11 *#to%e& 2012' t(e !atte& 3as "nfo&med t(at t(e #ontested de#"s"on 3as u (e!d.

16. *n 2\$ De#em%e& 2012' t(e A !"#ant su%mtted ("s a !"#at"on to t(e T&"%una!. /n ("s su%mt"ss"on' (e &e: uested t(e T&"%una! to o&de& t(e 7es ondent to &o."de do#uments &ega&d"ng t(e se!e#t"on &o#ess.

14. *n 2 Janua&y 2016' t(e a !"#at"on 3as se&.ed on t(e 7es ondent and on 1 De%&767(,) 1(!)-2t59487&e on t10(n)&u%%01 do#D [(")-2.1 20 781594&e a&a6797((e) 3 .84769

assessment that only ("s assignment 3"t(t(e *ff"#e of t(e D"&#to& of D/TC
3as &e!.ant 3as "n#o&&e#t' on t(e #ont&a&y' (e (as 22 yeas of ost,g&aduate
e< e&"en#e on t&ade "ssues&

#. @&"ng Aanage&s (a.e no su%Ce#t".e d"s#&et"on "n de#"d"ng 3(et(e&
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sat"sfa#to&y o& not& t(ey #an on!y !a#e a !"#ants on t(e 1not,su"ta%e !"st2
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d. T(e #&"te&"a set "n t(e VA 3e&e a !"ed "n a mo&e !en"ent 3ay to t(e
su##essfu! #and"date 3"t(&ega&d to t(e &e!.an#e of (e& 3o&; e< e&"en#e&

62. Based on the above observations, it is clearly not for the Tribunal to substitute its own views and to elaborate on the assessment of the test as a whole @ A' as long as the assessment itself is based on obvious facts that should be clearly reflected in the material time records

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Conclusion

64. /n . "e3 of t(e fo&ego"ng' t(e T&"%una! D5C/D508

T(e a !"#at"on "s d"sm"ssed "n "ts ent"&ety.

+Signed-

Judge T(omas)a;e&

Dated t("s 16th day of Aa&#(2014

5nte&ed "n t(e 7eg"ste& on t("s 16th day of Aa&#(2014

+Signed-

7enK A. Va&gas A.' 7eg"st&a&' Gene . a