

Case No.:

UNITED NATIONS DISPUTE TRIBUNAL

Introduction

1. The Applicant filed on 28 December 2014 the Appeal against a (retired staff member) of the International Civil Service Tribunal for the former Yugoslavia (ICTY) contests the Assistant Secretary-General for Human Resources Management (A2G/745601) decision of 17 June 2014 denying a promotion of the Applicant into a permanent appointment.

2. The Applicant's (revised) submissions;

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assessments) as a result of the Geneva Assembly and C2C) you should not
have been selected for granting the Applicant a permanent assessment

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Consideration

Preliminary matter

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a. ICT, staff member(s) appointed to full and full assessment of the suitability for promotion to permanent appointment. (a. 22 and 23 of Judgment Malmström et al. 2013 UNAT 3571)

b. The promotion was based on the retroactive assessment of the suitability of the Applicant. (a. 22 and 23)

c. The assessment of the employee for a permanent appointment was based on an individual and comprehensive assessment of the full and full assessment. (a. 22 and 23 of Judgment Malmström et al. 2013 UNAT 3571) and in doing so, the employee's "reasonable assessment" led to the decision to ICT, staff member(s) demonstrating the "proficiencies, competencies and transferrable skills (including the suitability for the position. (a. 22 and 23 of Judgment Malmström et al. 2013 UNAT 3571) and

d. The A2G/7456 was not appointed to (employee) on the first mandate of the ICT, H4e(C) (employee) as a result of the (employee) to the employee's assessment of the (employee) on the ICT, as the first mandate. (a. 24

one) made ' ! t*e A2G/7 4 5 6 \$n June 2014. T*\$s s"e%\$f\$% de%\$\$son \$s t*us t*e su' ?e%t of t*e T(\$' una#>s s%(ut\$n!) not*\$ng mo(e and not*\$ng #ess.

54. T*\$s adm\$n\$st(at\$-e de%\$\$son must and does s"eaA fo(\$tse#. +n "a(t\$u#a() t*e "(e-\$ous (efusa#s of %on-e(s\$on of t*e A ""#\$%ant>s a""o\$ntment \$n t*e fa## of 2011) a#t*oug* fa%tua## ! (e#ated) \$s 'e !ond t*e s%o"e of (e-\$e9 of t*\$s a""#\$%at\$on) as a(e an! post facto e8"#anat\$ons of t*e de%\$\$son at \$ssue. T*(e(fo(e) t*e fo%us of t*e T(\$' una#>s (e-\$e9 9 \$## 'e on as%e(ta\$n\$ng 9*et*e(t*e \$m"ugned de%\$\$son) as \$t \$s %ou%*ed \$n t*e 17 June 2014 #ette(sent to t*e A ""#\$%ant) 9as made \$n %onfo(m\$t! 9\$t* t*e d\$(e)t\$ons g\$-en ' ! t*e A""ea#s T(\$' una# \$n Judgment Ademagic et al.

Substantive legality of the decision

2. Nature of the decision

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71. It follows that the amount of the award should be reduced to the amount of the award as of the date of the award (June 2014). The award should be reduced to the amount of the award as of the date of the award (June 2014). The award should be reduced to the amount of the award as of the date of the award (June 2014).

and the award should be reduced to the amount of the award as of the date of the award (June 2014).

72. The award should be reduced to the amount of the award as of the date of the award (June 2014).

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&0. Against the 'a' ground the Tribunal tends to affirm the Administrative Commission's decision that the State mandate of ICT, as well as of ICT) is a factor that can be considered in determining the Commission of the African Union's commitment to permanent. 409e-e) although it is a matter to give adequate

*remedies

4. Article 10.5 of the Statute defines the Tribunal's "orders" (including the award of remedies) "including;

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101. The T(\$'una# *as %on%#uded) "(e%\$se#!) t*at t*e A2G/7 4 5 6 *ad at no "o\$nt

6. Late payment damages

106. The respondent's (the "Respondent") failure to pay the claimant's (the "Claimant") damages in full and in a timely manner (the "Breach") and the Respondent's failure to pay the Claimant's damages in full and in a timely manner (the "Breach") is a breach of the Respondent's obligations under the contract. The Respondent's failure to pay the Claimant's damages in full and in a timely manner (the "Breach") is a breach of the Respondent's obligations under the contract. The Respondent's failure to pay the Claimant's damages in full and in a timely manner (the "Breach") is a breach of the Respondent's obligations under the contract.

107. No award is to be made in respect of the loss of the Claimant's (the "Claimant") business (the "Business") during the period from June 2008 to 31 December 2011. The failure of the Respondent (the "Respondent") to pay the Claimant's (the "Claimant") damages in full and in a timely manner (the "Breach") is a breach of the Respondent's obligations under the contract. The Respondent's failure to pay the Claimant's damages in full and in a timely manner (the "Breach") is a breach of the Respondent's obligations under the contract. The Respondent's failure to pay the Claimant's damages in full and in a timely manner (the "Breach") is a breach of the Respondent's obligations under the contract.

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112. For the reasons outlined above, it follows that the relevant amendment to

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