
Case No.: UNDT/GVA/2014/005

Introduction

1. The Applicant filed on 6 March 2014 the Applicant contests the decision to appoint a manager and date of the appointment to one of the posts of, eno(-nte(#ete(./ng\$s)s)0 at the -nte(#etation ,e(1%&e* De#a(tment of Confe(en&e ' anagement .DC ' 0* #u2\$s)s)ed unde(Jo2 3#en\$ng .4J350 No. 1 67AN6UN3G628868696G/N/VA .70 .P65 \$e1e\$0.

2. The Applicant requests the re-issuance of the decision to select the other date for one of the posts. The selected date and the selection procedure (established. At the oral hearing) were satisfied that the applicant did not see compensation for moral damages.

Facts

From 16 March to 15 June 2014 the Applicant contests the decision to appoint a manager and date of the appointment to one of the posts of, eno(-nte(#ete(s* P65 ./ng\$s)s)0* -nte(#etation ,e(1%&e* DC ' * +e(e ad1e(t\$ised %n -ns#(a* unde(J3 1 67AN6UN3G628868696G/N/VA .70. The Applicant has identified to a number of J3

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d. The Applicant did not show an "objective" assessment of the facts and circumstances of the case to justify the award of the costs of the proceedings.

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22. The respondent's position is stated as follows: The respondent argues that a Commission decision of 10 October 2014, which appointed the staff (under article 10.10 of the Staff Regulations) to act as the respondent's representative in the arbitration proceedings, is null and void. The respondent claims that the Commission's decision is null and void because it is based on a false statement of facts. The respondent also claims that the Commission's decision is null and void because it is based on a false statement of facts. The respondent also claims that the Commission's decision is null and void because it is based on a false statement of facts.

23. The respondent's position is stated as follows: The respondent argues that a Commission decision of 10 October 2014, which appointed the staff (under article 10.10 of the Staff Regulations) to act as the respondent's representative in the arbitration proceedings, is null and void. The respondent claims that the Commission's decision is null and void because it is based on a false statement of facts. The respondent also claims that the Commission's decision is null and void because it is based on a false statement of facts. The respondent also claims that the Commission's decision is null and void because it is based on a false statement of facts.

29. As a matter of fact upon the transfer of the host of C)ref - , to DGAC ' at the end of ,e#tem2e(201 * -, , as de#(led of the D61 #ost* t)oug) the respondent noted and admitted that the need of se(1&e fo(t)at #ost &ontinued to exist. -n t)at s#tuat#on* t)e Adm#n#st(at#on of UN3G a&t)ed as %f t)e D61 #ost)ad not been t(ansfe((ed* to t)e eBtent t)at %t a##o#nted an 3-C to +)om %t eBtended* de facto* t)e same aut)o(%t" l)ested on t)e C)ref - , * t)at %s* inter alia* to a&t as : %(%ng ' anage(fo(t)e &ontested #ost.

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5. Upon the Tribunal's findings, the respondent is ordered to pay to the applicant the amount of the damages.

Conclusion

6. In the light of the findings of the Tribunal,

a. The decision to set aside the award made by the arbitrator in the first award (dated 13 June 2013) is hereby set aside and the award is annulled.

2. In case the respondent elects to pay the amount of the award to the applicant, the amount shall be set at U.S.D. 200,000.

&. The aforementioned award shall be annulled with effect from the date of this Judgment and the respondent shall be ordered to pay the amount of said award to the applicant.