



UNITED NATIONS APPEALS TRIBUNAL
TRIBUNAL D 'APPEL DES NATIONS UNIES

Judgment No. 2021-UNAT-1140



Fei Xing
(Appellant)

v.

Secretary -General of the United Nations
(Respondent)

JUDGMENT

Before:	Judge Graeme Colgan, Presiding Judge John Raymond Murphy Judge Sabine Knierim
Case No:	2020-1453
Date:	25 June 2021
Registrar:	Weicheng Lin

Counsel for Appellant:	Self-represented
Counsel for Secretary-General:	André Luiz Pereira de Oliveira

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19. The Appellant argues that the UNDT erred in stating that the Appellant distrusted the Respondent's explanation of the recruitment process and that she should have been selected because she was the only qualified female candidate. The Appellant takes issue with the UNDT's characterisation of her arguments on these two points.

20. The Appellant contends that the UNDT made errors in fact and law and failed to exercise jurisdiction vested in it.

33.

the qualifications and experience of the recommended candidate, when compared to the core requirements of the post, are clearly superior to those of the female candidates who were not recommended;

44. ST/AI/2010/3 (Staff Selection System) provi des pertinently:

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6.10 A staff member holding a temporary appointment who is recruited in the Professional and above categories, on a temporary appointme.2 (o)6t6-mp>>BDCSa andAormme;A

46. ST/AI/20 12/2/Rev.1 (Young Professionals Programme) states at 7.1:

7.11 Selected candidates shall be required to serve at any of the duty stations of the United Nations Secretariat worldwide, except as provided for in section 7.5 above. Selected candidates shall be required to serve for a minimum of two years in the position of their initial assignment before being eligible to apply to another position. Selected

member's application was considered fairly and adequately and whether the applicable rules and regulations were applied in a fair, transparent and non-discriminatory manner. ⁵

49. In _____, this Tribunal confirmed that the obligations on selectors, appointers or promoters of staff to provide a written analysis of respective candidates are mandatory (the word "shall" is used) so that a failure to comply with this will render the selection process flawed. The Judgment confirms that the requirements of the Secretary-General under ST/AI/1999/9 are onerous, anhnelA (9)-8.8 (9)-Tc 00 (e)4.2 ()-5.6 (T)01o78 (r)--4()

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