UNITED NATIONS DISPUTE TRIBUNAL UNITED NATIONS DISPUTE TRIBUNAL Date: 18 July 2012 Original: English Jean-Pelé Fomété CHAWLA v. SECRETARY-GENERAL OF THE UNITED NATIONS JUDGMENT

Counsel for the Applicant:

Self-represented

Counsel for the Respondent:

Elizabeth Gall, Nairobi Appeals Unit, ALS/OHRM Steven Dietrich, Nairobi Appeals Unit, ALS/OHRM

Case No. UNDT/NBI/2011/040

11. The Applicant argues that the FCRB should have reviewed all relevant facts rather than simply the evaluation made by the interview panel. Such matters would include the fact that the Applicant was working against a P-5 Chief Supply Officer post and had been Chief Supply Officer in Chad for three years, thus having substantial experience in the position. Further, whereas the panel found him deficient in the

12.

24. Mr. Pittfield

stated, having reviewed the evaluation table in respect of the Applicant, that his answers

told the Tribunal that the P-5 Chief of Supply would be in charge of many hundreds of staff and really needed to understand how to deal with, for example, troublemakers, under-performers, moral issues, and to give credit where it was due. He stated that the main difference between a P-4 Chief of Supply and a P-5 Chief of Supply was that the

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26. The above notwithstanding, the burden of establishing bias or the perception of bias which lies on the Applicant has not been fully established. Though it appears that the Respondent has made a minimal showing of regularity in the recruitment process in point,

interviewed by their immediate supervisor as part of an interview panel may raise a suspicion of bias in the mind of a person directly concerned. It would be wise if in such situations a panel member discloses the nature of the relationship he or she may have with a candidate to the other panel members and to the relevant Central Review Body.