

7. On 12 September 2017, the Secretary-General issued a letter to all staff members announcing his System-Wide Strategy on Gender Parity. The Strategy was released on 13 September 2017.⁴

8. On 10 October 2017, in a meeting for all security staff headed by Country Security Advisor Mr. Sabir Mugal and Chief Security Officer Mr. Frazer King, the Applicant was informed orally that JO 73064 would be cancelled and re-advertised to attract more female candidates, and that this was in line with the Secretary-General's 12 September report on gender parity.⁵

9. On 20 October 2017, the Applicant received an email that JO 73064 had been cancelled and that it would be re-a

decision. The second job opening is considered to be a continuation of the selection process.

15. In *Ngokeng*, since the recruitment process for the position was still ongoing, no final administrative decision had been taken and therefore the decision to suspend the recruitment process was found to have had no direct consequences for the staff member's terms of appointment.

16. *Ngokeng* is directly applicable in this case. As in *Ngokeng*, there were two job openings for the position of GS-4 Security Assistant. The second JO replaced the first and was merely a continuation of one recruitment process, which is still ongoing. No

ineligible “produces direct legal consequences affecting the Applicant’s terms of appointment, in particular, that of excluding the Applicant from any possibility of being considered for selection for this particular vacancy”.

21. Since the cancellation of JO 73064 excluded the Applicant from any possibility of being considered for selection, it of being considered for 99n, itp-26(b2 Tmc18 7uor)6()9pc

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cancelled as argued by the Applicant in distinguishing his case from *Ngokeng* relied upon by the Respondent.

44. The Tribunal is in agreement with the Secretary-General that since the process did not yield a selection list, there was no administrative decision for the Applicant to contest.

45. In the circumstances, the application must be and it is hereby dismissed in its entirety as it is not receivable *ratione materiae*.

(Signed)

Judge Rachel Sophie Sikwese

Dated this 29th day October 2019

Entered in the Register on this 29th day October 2019

(Signed)

Abena Kwakye-Berko, Registrar, Nairobi