**Ex-US prosecutor accuses UN chief of hiring bias**

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UNITED NATIONS — An accomplished former U.S. prosecutor has filed a grievance accusing Secretary-General Ban Ki-moon of blocking his hiring to the U.N.'s top investigative post because of discrimination based on gender and nationality.

The dispute over Robert Appleton's appointment is the latest salvo in a high-stakes fight over how to fix the U.N.'s long-troubled internal watchdog agency. U.N. associate spokesman Farhan Haq said Wednesday that Ban's office could not comment on matters before the tribunal.

Appleton headed the U.N.'s special white collar fraud unit, known as the Procurement Task Force, that operated with great success from 2006 to 2008. It found 20 significant corruption schemes, leading to several felony convictions and sanctions against dozens of U.N. vendors.

The General Assembly created it in the wake of the scandal over the $1.8 billion bilked from the oil-for-food program that had been aimed at easing Iraqi suffering under U.N. sanctions.

Ban, however, refused to approve Appleton's hiring to the investigative post in the Office of Internal Oversight Services, or OIOS, because of a new policy requiring all senior-level appointments to be chosen from among a field of three qualified candidates that reflect a degree of geographical diversity and include at least one woman.

During each of the U.N.'s two global recruitment rounds for the top investigative post, however, an internal panel determined that Appleton was the sole qualified and suitable candidate from among about 70 applicants.

The outgoing head of the U.N.'s internal watchdog agency, Inga-Britt Ahlenius, recalled in a confidential report last month to Ban that severely criticized his leadership how she tried unsuccessfully nine times to persuade Ban to hire Appleton.

Appleton's 76-page application to the U.N. Dispute Tribunal, a copy of which was obtained by The Associated Press, said that Ban's refusal to hire him is a breach of the U.N. Charter and General Assembly resolutions.

Ban and his senior advisers have tried to contain the damage from Ahlenius' leaked 50-page "end-of-assignment" report by telling reporters in a series of news conferences and statements that Ahlenius failed to comply with Ban's new hiring policy.

The tribunal, which only began operating in July 2009 as part of a new U.N. system of internal justice, was set up by the 192-nation General Assembly to handle grievances by current and former staff members. Its judgments can be appealed to another U.N. tribunal.

Appleton said in his application to the tribunal that Ban and his so-called Senior Review Group that handles senior-level appointments improperly rejected his candidacy, rather than address the U.N.'s failure to attract more qualified women or more diverse nationalities.

"In addition to attempting to politicize the staffing process of OIOS, the senior officials responsible for the outcome are avoiding their own accountability for a system that is dysfunctional," Appleton's complaint says.

It says Ban and his senior management and personnel advisers also failed to appreciate or follow the U.N.'s hiring rules — seriously undermining Ahlenius' supposed independence as the U.N.'s undersecretary-general for oversight.

Appleton is seeking $1 million in damages and up to about $500,000 in lost wages and benefits.

In another high-profile hiring dispute, Peter Galbraith, the U.N.'s former No. 2 official in Afghanistan, has resorted to the tribunal to hear a grievance alleging wrongful dismissal and defamation. He has asked for unspecified compensation and reinstatement to a similar job.

Last month, the dispute tribunal awarded $655,000 and legal fees to Guido Bertucci, an Italian former senior official in the U.N.'s Department of Economic and Social Affairs, for breach of contract. Ban's office has said it will appeal that decision.

Bertucci filed a grievance with the tribunal after he was passed over for a job as an assistant secretary general in 2008 despite U.N. guidelines that give preference to internal candidates. A lawyer for Ban had refused to comply with the tribunal's demand that he reveal how the hiring decision was made.