



UNITED NATIONS APPEALS TRIBUNAL
TRIBUNAL D'APPEL DES NATIONS UNIES

Judgment No. 2022-UNAT-1225

Sarah Coleman
(Appellant)

v.

Secretary-General of the United Nations
(Respondent)

Judgment

Before:	Judge Dimitrios Raikos, Presiding Judge Sabine Knierim Judge Martha Halfeld
Case No.:	2021-1544
Date:	18 March 2022
Registrar:	Weicheng Lin

Counsel for Appellant:	Edward Patrick Flaherty
Counsel for Respondent:	Francisca Lagos Pola

THE UNITED NATIONS APPEALS TRIBUNAL

13. The UNDT also found no merit in Ms. Coleman's claim that UNICEF had failed to send a formal apology to the Government of Pakistan, which, she alleged, n7 (n.)1.s852 179.82 7456(e)-.3 (h)IT.9 (rnm)6 4 f

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on her career, including moral damages for having unlawfully placed and maintained her on SLWOP for a prolonged period, thus causing her prolonged distress, hurt, humiliation, and injury to her reputation, dignity, and self-respect; reinstate her to a position corresponding to her grade, skills, training, and experience with an additional one-year fixed-term contract; and order compensation for actual and material damages as well as costs, plus interest on any sums awarded at the rate of five percent per annum from the date of her request for management evaluation through the date all amounts awarded are paid.

The Secretary-General's Answer

28. The UNDT correctly determined that the decision to place Ms. Coleman on SLWOP constituted a lawful exercise of the Administration's discretion and dismissed her application. Pursuant to Staff Rule 5.3(f), the Administration enjoys wide discretion in placing staff members on SLWOP. Because Ms. Coleman failed to renew the documentation necessary to continue to perform her functions from her duty station, the Pakistani authorities requested that she leave the country. While allowing her temporarily to work remotely from the UK, UNICEF made genuine and reasonable efforts to renew her documentation so that she could continue to work from her duty station. Despite the Administration's efforts, the Government of Pakistan did not allow her to remain in the country. Consequently, UNICEF offered Ms. Coleman the opportunity to work elsewhere, i.e., in a P-4 position in South Sudan where she would be remunerated and receive

and November 2017, making several telephone calls and

35. Ms. Coleman's argument that the UNDT erred in finding that UNICEF did not have an obligation to reassign her should be dismissed. She has not explained why the Organization was obliged to reassign her. Despite not having an obligation to find her

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