1.   The Applicant requests rescission of the decision dated 27 March 2012 by which the Ethics Office refused to consider that the settlement agreement she had concluded on 29 June 2011 with the International Trade Centre (ITC), following mediation, constituted a protected activity within the scope of the Secretary-General's bulletin ST/SGB/2005/21 (Protection against retaliation for reporting misconduct and for cooperating with duly authorized audits or investigations).

2.   She also requests the Tribunal:

a.   To find that she was subjected to retaliation and order that her case be referred to the Office of Internal Oversight Services (OIOS) for investigation;

.   To order that protection be extended to witnesses and Staff Council members who assisted her and who face threats of retaliation;

c.   To order that her name be removed from all Tribunal orders and judgments.

A.   The Applicant was recruited by ITC in Geneva on 20 January 2009 on a short-term appointment that was renewed until 19 July 2009. Following the entry into force on 1 July 2009 of the new Staff Regulations and Rules, the Applicant was reappointed on 20 July 2009 to the same post on a temporary appointment. She served as a G-5 Programme Assistant until 31 May 2010.

B.   On 27 October 2010, the Applicant submitted to the Secretary-General a request for a management evaluation of the ITC decision finding her ineligible for the P-2 post in respect of which she had been performing some duties.

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15.   'n D 1a8 2012⟩ t%e A44#$cant su m$tted a !e6uest to t%e (ec!eta!8-Gene!a#
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1C.   'n 2 Ju#8 2012⟩ 8 Judgment No. UNDT/2012/102⟩ t%e T!$ una# !e›ected
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19.   'n 7 Decem e! 2012⟩ t%e T!$ una# %e#d a %ea!$ng 9%$c% 9as attended 8
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20.   T%e A44#$cant‹s content$ons a!e:

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21.

2A.

2C. &n t%e 4!esent case5 t%e dec§s§on of t%e "t%§cs ' ff§ce t%at §s e§ng contested 9as to cons§de! t%at t%e ag!eement conc#uded on 29 June 2011 9§t% &TC t%!oug%

42. The Respondent also raises the failure to submit a request for a management evaluation of the decision before the application was filed as further grounds for non-receivability of the application.

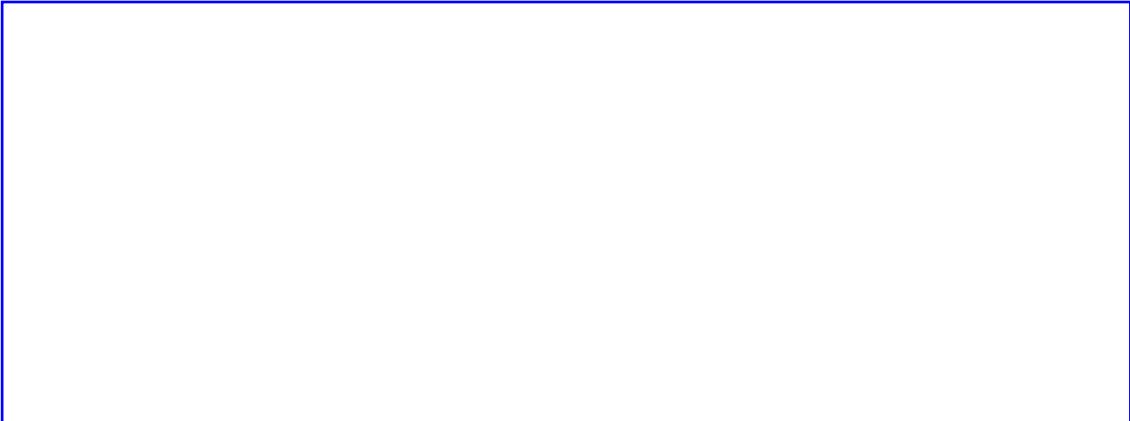43. Rule 11.2 of the Staff Rules stipulates:

    (a) A staff member wishing to formally contest an

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Paragraphs 39-44 struck out by UNAT Judgment N° 2013-UNAT-349.

Paragraphs 39-44 struck out by UNAT Judgment N° 2013-UNAT-349.

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:Signed;
Judge Jean-,!an.o$s Cous$n
Dated t%$s 11t% da8 of Decem e! 2012

"nte!ed $n t%e)eg$ste! on t%$s 11t% da8 of Decem e! 2012

:Signed;
)en0 1. Va!gas 1.⸴)eg$st!a!⸴ Gene/a

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