

Introduction

1. The Tribunal was established on 1 À 2015 to assess the performance of the United Nations Development Programme (UNDP) and its subsidiary, the United Nations Population Fund (UNFPA), in the implementation of the Sustainable Development Goals (SDGs) and the 2030 Agenda for Sustainable Development. The Tribunal was established by the Secretary-General of the United Nations in accordance with the provisions of the United Nations Charter and the United Nations Development Programme (UNDP) Statute. The Tribunal's mandate is to conduct an independent and impartial assessment of the UNDP's performance in the implementation of the SDGs and the 2030 Agenda for Sustainable Development. The Tribunal's findings and recommendations will be submitted to the Secretary-General of the United Nations for his consideration and action.

2. The Tribunal was established on 2 June 2015 to assess the performance of the United Nations Development Programme (UNDP) and its subsidiary, the United Nations Population Fund (UNFPA), in the implementation of the Sustainable Development Goals (SDGs) and the 2030 Agenda for Sustainable Development. The Tribunal was established by the Secretary-General of the United Nations in accordance with the provisions of the United Nations Charter and the United Nations Development Programme (UNDP) Statute. The Tribunal's mandate is to conduct an independent and impartial assessment of the UNDP's performance in the implementation of the SDGs and the 2030 Agenda for Sustainable Development. The Tribunal's findings and recommendations will be submitted to the Secretary-General of the United Nations for his consideration and action.

3. The Tribunal was established on 2 June 2015 to assess the performance of the United Nations Development Programme (UNDP) and its subsidiary, the United Nations Population Fund (UNFPA), in the implementation of the Sustainable Development Goals (SDGs) and the 2030 Agenda for Sustainable Development. The Tribunal was established by the Secretary-General of the United Nations in accordance with the provisions of the United Nations Charter and the United Nations Development Programme (UNDP) Statute. The Tribunal's mandate is to conduct an independent and impartial assessment of the UNDP's performance in the implementation of the SDGs and the 2030 Agenda for Sustainable Development. The Tribunal's findings and recommendations will be submitted to the Secretary-General of the United Nations for his consideration and action.

Case No. UNDT/GVA/2015/127

Judgment No. UNDT/2016/101

17. The Commission of 10 April 2016 (the "2016 Commission") notes that the UNDP Administration's summary of the findings of the investigation into the alleged mismanagement of the UNDP's financial resources is not supported by the evidence. The Commission notes that the UNDP's financial records are not properly maintained and that the UNDP's financial statements are not audited. The Commission notes that the UNDP's financial records are not properly maintained and that the UNDP's financial statements are not audited. The Commission notes that the UNDP's financial records are not properly maintained and that the UNDP's financial statements are not audited.

At the same time, the Commission notes that the UNDP's financial records are not properly maintained and that the UNDP's financial statements are not audited.

Facts relating to the selection process of the PAPP post

23. The announcement for the post of "Senior Representative of the Administration" (P) of the Assistant Secretary to the Permanent Representative of the PAPP UNDP was advertised in the newspaper "Le Monde" of 20 November 2015.

2B. On 30 November 2015 the Secretary-General announced

a. the names of the Assistant Secretary to the Administration and Deputy Secretary of the United Nations Office at Geneva (A/G) Assistant Administration and Deputy Secretary of the United Nations Office at Geneva (A/G) UNDP.

4. The names of the Assistant Administration and Deputy Secretary of the United Nations Office at Geneva (A/G) UNDP and the names of the Assistant Administration and Deputy Secretary of the United Nations Office at Geneva (A/G) UNDP.

%. The names of the Assistant Administration and Deputy Secretary of the United Nations Office at Geneva (A/G) UNDP.

d. The names of the Assistant Administration and Deputy Secretary of the United Nations Office at Geneva (A/G) UNDP.

25. On 1 November 2015 the Secretary-General announced the names of the Assistant Administration and Deputy Secretary of the United Nations Office at Geneva (A/G) UNDP. The names of the Assistant Administration and Deputy Secretary of the United Nations Office at Geneva (A/G) UNDP were not announced on the dates set for the Secretary-General's 26 November 2015 press conference. A UNDP staff member's name was not announced.

26.

Case No.

UNDT/GVA/2015/127

Case No. UNDT/GVA/2015/127

Judgment No. UNDT/2016/101

%.

Case No. UNDT/GVA/2015/127

Judgment No. UNDT/2016/101

o""o)tun\$t!' ta;\$ng \$nto %ons\$de)at\$on t(at t(\$s \$))egu#a)\$t!)esu#ted d\$e%t#!

se#e%t\$on s(ou#d 4e u"(e#d 2(en %and\$dates (a-e)e%e\$-ed fu## and fa\$)
%ons\$de)at\$on' 2(en d\$s%)\$m\$nat\$on and 4\$as a)e a4sent' and ")o"e ")o%edu)es
(a-e 4een fo##o2ed . 2011*UNAT*1229 2013*UNAT*2D69
2015*UNAT*5B01.

3B. F(\$#e t(e A""#\$%ant su4m\$ts t(at s(e 2as not g\$-en fu## and fa\$)
%ons\$de)at\$on' s(e does not %a\$m t(at s(e oug(t to

Case No. UNDT/GVA/2015/127

Judgment No. UNDT/2016/101

\$ % % & ' \$ \$! " () *

B2. F \$(t(e a4o-e standa)d \$n m\$nd' t(e T)\$4una# f\$nds \$t a""o")\$ate to f\$)st
e3am\$ne 2(et(e) >@, o) t(e =3e%ut\$-e >ff\$%e s(ou#d (a-e)emo-ed
&). &a)t\$ne:*+o#\$man f)om t(e \$nte)-\$e2 "ane#" on t(e 4as\$s of a "e)%e\$-ed
%onf#\$\$t of \$nte)est' on%e \$t 2as de%\$ded t(at t(e A""#\$%ant 2as one of t(e
%and\$dates to 4e \$nte)-\$e2 ed.

B3.

B6. The UNDP Administrator approved the settlement of the claim for the period from 1 January 2015 to 31 December 2015 and as Administrator and Managing Director of the

of the Commission's decision of 20 June 2015, the fact that it was based on an investigation that would have been sensitive to the emotions of the complainant and his family.

BC. A finding that the standards set for the Applicant's treatment of the Applicant's satisfaction with the investigation, and that the Applicant's satisfaction was not sufficient to justify the decision to dismiss the complaint, is not sufficient to justify the decision to dismiss the complaint.

50. Counsel for the Applicant, as respondent, is not satisfied with the findings of the investigation and the use of the investigation's findings to justify the decision to dismiss the complaint. Counsel for the Applicant is not satisfied with the findings of the investigation and the use of the investigation's findings to justify the decision to dismiss the complaint.

50. Counsel for the Applicant, as respondent, is not satisfied with the findings of the investigation and the use of the investigation's findings to justify the decision to dismiss the complaint. Counsel for the Applicant is not satisfied with the findings of the investigation and the use of the investigation's findings to justify the decision to dismiss the complaint.

Case No.

UNDT/GVA/2015/127

&). &a)t\$ne:*+o#s\$man on t(e \$nte)-\$e2 "ane# %onst\$stuted a den\$a# of fu## and fa\$) %ons\$de)at\$on g\$-en t(e 4a% ;g)ound and %ontent des%)\$4ed (e)e\$N.

) +) % (* , - . + '/ \$ \$

5B. T(e A""#s\$ant fu)t(e su4m\$ts t(at t(e ")esen%e of a "ane# mem4e) at t(e D*1 #e-e#' t(at \$s' one #e-e# unde) t(e g)ade of t(e "ost unde))e-\$e2' %onst\$stutes a ")o%edu)a# f#a2.

55. A%%o)d\$ng to "a)a. D6 of t(e ,e%)u\$tment 7)ame2o);' / 2\$t(t(e e3%e"t\$on of t(e @ ,)e")esentat\$-e' "ane# mem4e)s s(ou#d 4e g)aded e6ua# to o) (\$g(e) t(an t(e "ost unde) %ons\$de)at\$on0. T(e T)\$4una# notes' (o2e-e)' t(at \$n #s\$g(t of t(e fa#t t(at)e%)u\$tment to D*2 "os\$t\$ons \$s go-e)ned 4! t(e +tanda) >"e)at\$ng P)o%edu)es and not 4! t(e f)ame2o);' t(e Adm\$n\$st)at\$on 2as not #ega##!)e6u\$ed to (a-e a "ane# e3%#us\$-e#! 2\$t(mem4e)s at t(e D*2 o) a4o-e #e-e#. T(e ")esen%e of a D*1 staff mem4e) does not %onst\$stute a ")o%edu)a# f#a2 \$n t(e se#e%t\$on e3e)%\$se.

\$) + % % &' \$ 0) () *

56. T(e T)\$4una# %a)efu##!)e-\$e2ed t(e \$nte)-\$e2 notes and \$s %on%e)ned t(at &). &a)t\$ne:*+o#s\$man d\$d)a\$se 2\$t(t(e "ane# mem4e)s \$s\$ues a4out t(e A""#s\$antGs "e)fo)man%e at t(e >GC. T(e)e%)o)d' name#! t(e (and2)\$tten \$nte)-\$e2 notes f)om t(e note*ta;e)' s(o2s t(at afte) t(e "ane# mem4e)s' \$n%#ud\$ng &). &a)t\$ne:*+o#s\$man' (ad e3")essed t(e\$) -\$e2 t(at t(e A""#s\$antGs "e)fo)man%e at t(e \$nte)-\$e2 2\$t()es"e%t to (e) manage)\$a# %om"eten%\$es 2as not u" to t(e standa)d)e6u\$ed. &). &a)t\$ne:*+o#s\$man ment\$oned t(at t(e A""#s\$ant d\$d not (a-e /a smoot()\$de K at t(e >GCL \$n >s#o om131 aof &>end 4ee

att)4uted to a 4)ea% (of (\$s o) (e) su4stant\$-e o) ")o%edu)a#)\$g(ts and 2(e)e t(e
UNDT \$s sat\$sf\$ed t(at t(e st)ess' (a)m o) an3\$et! \$s su%(as to me)\$t a
%om"ensato)! a2a)d0 . 2013*UNAT*30C1.

6B. T(e A""#\$%ant ga-e e-\$den%e of t(e st)ess %aused to (e) 2(en s(e 2as
\$nfo)med t(at &). &a)t\$ne: *+o#\$man 2as s\$tt\$ng on t(e \$nte)-\$e2 "ane#. +(e stated

Conclusion

67. The section 2 as inserted and the amount is entitled to USD1.000 as compensation for moral damages.

6D. The award of compensation (article 4e) interest at the United States of America) shall be 2% (effective) from the date of the Judgment (article 4e) until the payment of said award. An additional fee of 1% shall be added to the United States of America) shall be 60 days from the date of the Judgment (article 4e).

6C. All other fees are rejected.

. - 1

Judge Gooch & Jean

Dated the 21st day of July 2016

Witnessed in the presence of on the 21st day of July 2016

. - 1

, enN &. Va)gas &.' , eg(st)a)' Gene-a