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Introduction

1. On 10 April 2019, the Applicant, an Associate Economic Affairs Officer with the United Nations Economic Commission for Latin America and the Caribbean filed an application contesting the decision to deny

6. In July 2017, the Applicant was temporarily assigned to the United Nations Verification

12. On 21 February 2019, the Applicant received a management evaluation decision upholding the contested decision.

Considerations

13. This Judgment is concerned with the question whether, in the given circumstances, _____ may properly be compensated by the Organization under staff rule 6.5 and ST/AI/149/Rev.4. and whether the decision to refuse his claim was lawful.

jurisdiction

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Administration did not reject his claim on the ground that it was filed late

22. Accordingly, the Tribunal finds that although the loss occurred during the period that th

delays, additional expenses or liabilities that may arise. This condition is based on sec. 16.7 of ST/AI/2016/4 (Excess baggage, shipments and insurance):

Part V

Terms and conditions that govern the application of relocation grant

16.7 The Organization is not responsible for any delays in the arrival of personal effects or household goods or additional expenses that may be incurred or liabilities that may arise as a result of opting for the nsibility to take out appropriate insurance. Where possible, the Organization may assist staff members in facilitating customs clearance and applicable import/export procedures.

26. The Tribunal agrees that to the extent that the Applicant argues that he had to store his personal belongings in a warehouse in Santiago due to the insufficiency of the relocation grant, this provision applies and the Applicant cannot claim additional expenses or liabilities caused by his decision to opt for the relocation grant.

27. Finally, the Tribunal notes that para. 24 of ST/AI/149/Rev.4 provides that payment of any approved compensation shall be conditional upon the recipient

the sum total of the amount to be paid by the United Nations and the amount recovered or to be recovered by me from insurance, if any, in respect of said personal effects will not exceed the amount of the loss [of] or damage [to] personal effects sustained by me value of his personal effects as USD13000 and obtained this sum in compensation from the insurance company, any compensation payable by the United Nations could not exceed the amount of the loss sustained by him, i.e. USD13000, even if he was entitled to compensation under ST/AI/149/Rev.4. This fact alone would be sufficient to disentitle the Applicant to any compensation from the United Nations.

