

Cases Nos. UNDT/GVA/2017/112
UNDT/GVA/201 /0!"
#&e' (No. UNDT/2020/01"

Introduction

1. B+ a66-,:a(o' f,-e% o' 7 #a'\$a*+ 201 a'% *eg,s(e*e% \$'%e*

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5.

1!. I' A6*,- 2017) (.e A66-,:a'(9 8.o .a% :o&6-e(e% .,s (o\$* of %\$(+ ,'
9 8.,:. .a% s(a*(e% ,' A\$g\$\$s(201"9 8as ,':-\$%e% ,' (.e UNICE4
2017 Ro(a,o' 1 o;,-(+ EGe*:,se.

20. O' 2" A6*,- 2017) (.e G-o;a- 4\$'% P*og*a&&e :o':\$**e% 8,(. (.e %e:,s,o'
(o se-e:(a f,*& fo* a' eG(e*'a- *,sE *e/,e8.

21. O')0 1a+ 2017) (.e A66-,:a'(s\$;&,(e% (o -o:a- &a'age&e'(a *,sE
assess&e'(a'% a' E'(e*6*,se R,sE 1 a(*,G of (.e G-o;a- 4\$'% P*og*a&&e ,'
9 e-a;o*a(,'g .,s :o':e*'s a;3.66653(*) e.

[REDACTED]

[REDACTED]

27. O' 20 A6*,- 201 9 (.e A66-,:a'(*eI\$es(e% &a'age&e'(e/a-\$a(o' of (.e %e:,:s,o' 'o((o *e'e8 .,s f,Ge%3(e*& a66o,'(&e'(. O' = #\$\$'e 201 9 (.e [REDACTED] UNICE49 \$6.e-% (.e :o'(es(e% %e:,:s,o'.

2 . O' 1= #\$\$'e 201 9 (.e A66-,:a'(8as se6a*a(e% f*o& se*/,:e.

Consideration

!"# \$ %

2!. T.e T*,:\$'a- ,s se,Je% of (8o a66-,:a(o's. O'e9 Case No. UNDT/GVA/2017/1129 *e-a(es (o (.e A66-,:a'(<s *e&o/a- f*o& .,s 6os,(o' , ' [REDACTED] a'% .,s s\$;seI\$e'(6-a:e&e'(o' SL F 4P. T.e o(.e9) Case No. UNDT/GVA/201 /0!"9 *e-a(es (o (.e 'o'3*e'e8a- of (.e A66-,:a'(<s f,Ge%3 (e*& a66o,'(&e' (8,(. UNICE49 8 .,: . eG6,*e% o' 1= #\$\$'e 201 .

)0. I' /,e8 of (.e Res6o'%e'(<s 22 O:(o;e* 201! s\$;&,ss,o' >see 6a*a. 7 a;o/eA9 8.e*e;+ .e 'o -o'ge* :o'(es(s (.e &e*(s of (.e a--ega,(o's as se(o\$(, ' (.e a66-,:a(o's9 (.e T*,:\$'a- f,'%s (.a((.e :o'(es(e% %e:,:s,o's9 ,.e9 (o *e&o/e (.e A66-,:a' (f*o& .,s 6os,(o' , ' [REDACTED] (o 6-a:e .,& o' SL F 4P a' % 'o((o *e'e8 .,s a66o,'(&e' (;e+o' % 1= #\$\$'e 201 a*e \$'-a8f\$. T.e*efo*e9 (.e o'--+ -ega- ,ss\$e (.a(*e&a, 's fo* a%#\$\$%,:a(o' ;efo*e (. ,s T*,:\$'a- ,s (.a(of *e&e%,es.

)1. I' Case No. UNDT/GVA/2017/1129 (.e A66-,:a' (*eI\$es(s (.e T*,:\$'a- (o o*%e* (.e fo--o8, 'g *e&e%,es:

a. To %e:-a*e (.e *e&o/a- %e:,:s,o's ?' \$-- a' % /o,%@ 8,(. *e(*oa:(,/e effe:(D

; . To a8a% .,& :o&6e'sa(o' eI\$,/a-e'((o)" &o'(.s of sa-a*+ fo* -oss of ,':o&e a' % ;e'ef,(sD

:: To a8a% .,& :o&6e'sa(o' eI\$,/a-e'((o 2= &o'(.s of sa-a*+ fo* &o*a-%a&agesD

%. To o*%e* UNICE4 (o 6a+ .,& se:\$*(+ e/a:\$a(o' a--o8a':es a'%
e'(-e&e'(s a'% *e6a(*,a(o' (*a/e- eG6e'ses)

e. To a8a*% .,& :o&6e'sa(o' fo* -ega- fees ,' a' a&o\$'('o(-ess (.a'
USD109000D) a' %

f. To o*%e* UNICE4 (o ,ss\$e a -e((e* of *efe*e':e ,'%,:a('g .,s
a:.,e/e&e'(s a'% a' a66*e:,a(o' of .,s 6e*fo*&a':e9) (oge(.e* 8,(.
ass\$a':es (.a(.e 8,-- 'o(;e *e(a-,a(e% aga, 's(.

)2. I' Case a;e(ss

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) . No'e(.e-ess) (.e S(a\$(e of (.s T*,\$'a- 6*o/,%es 'o g\$,%e-, 'es , ' *e-a,o' (o
(.e e-e&e'(s (.a(:a' ;e :o's,%e*e% ;+ ,((o %e(e*&,'e (.e I\$a'(\$& of a fa,*
easo'a;-e a'% a%eI\$a(e a-(e'a(/e :o&6e'sa,o'. I's(ea%
,(o'--+ -,&(s (.e a&o\$(of :o&6e'sa,o' (o (8o3+ea*s< 'e(;ase sa-a*+ sa/e eG:e6(o'a- :ases.

)!. I' + " , ' 20123UNAT32=7 >6a*a. 2 A9 (.e A66ea-<s T*,\$'a- 6*o/,%e%
so&e U*

[REDACTED]

[REDACTED]

[REDACTED]

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51. I' (.e g,/e' :,*:\$&s(a':es) (.e A66-,:a'(<s *eI\$es((o ;e 6a,% se:\$*,(+
e/a:\$a,(o' a--o8a':es ,s *eHe:(e%.

52. Co':e*', 'g (.e A66-,:a'(<s :-a,& (o ;e 6a,% *e6a(*,

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72. T.e A66ea-s T*,\$'a- .as *\$-e% (.a((.e ?;as,: 6*,':6-e a66-,:a;-e ,'
, '(e*'a(o'a- :o\$(s o' (.e I\$es(o' of :os(s ,s (.a(ea: . 6a*(+ s.a-- ;ea* ,(s o8'
:os(s@. l'%ee%9 (.s T*,\$'a- :a' o'-+ a8a*% :os(s (o a 6a*(+ ,f (.e*e ,s e/,%e' :e of
a ?&a',fes(a;\$se of 6*o:ee%, 'gs@9 ,.e.9 so&e %eg*ee of ,(e'(o' (o a:(
f*,/o-o\$s+ >see 0 0 201)3UNAT3)70A.

7). T.e T*,\$'a-<s 6o8e* (o a8a*% :os(s ,s (. \$s *es*,: (e% ;+ ,(s S(a\$(e (o :ases
, ' 8.:. ., (%e(e*&,'es (.a(a 6a*(+ .as &a',fes(+ a;\$se% (.e 6*o:ee%, 'gs ;efo*e ,(.
l' (.e a;se':e of s\$: . %e(e*&,'a(o'9 (.e T*,\$'a- :a' 'o(g*a' (sa,% *eI\$es(.

7=. S,':e ,' (.s :ase (.e*e ,s 'o e/,%e' :e of a ?&a',fes(a;\$se of 6*o:ee%, 'gs@9
(.e A66-,:a' (<s *eI\$es(,' (.s *ega*% ,s *elle:(e%.

Le(e* of Refe*e' :e

75. 4,'a--+9 (.e A66-,:a' (*eI\$es(s (.e T*,\$'a- (o o*%e* (.e O*ga',Ja(o' (o
6*o/,%e .,& 8,(. a -e((e* of *efe*e' :e ,'%,:a,'g ?.,s a: .,e/e&e'(s a'% (.e
6e*fo*&a' :e of 8o*E9 as 8e-- as9 a -e((e* of ass\$a' :e of 'o'3*e(a,a,o' a(8o*E ,'
(.e f\$(\$*e@.

7". l' *e-a,o' (o a :e*(f,:a(o' of se*/,:e9 s(aff *\$-e !.12 6*o/,%es (.e fo--o8, 'g:

A'+ s(aff &e&;e* 8 .o so *eI\$es(s s.a--9 o' -ea/, 'g (.e se*/,:e of
(.e U',(e% Na(o's9 ;e g,/e' a s(a(e&e' (*e-a, 'g (o (.e 'a(\$*e of .,s
o* .e* %\$(,es a'% (.e -e'g(. of se*/,:e9 O' (.e s(aff &e&;e* <s 8*,(e'
*eI\$es9 (.e s(a(e&e' (s.a-- a-so *efe* (o (.e I\$a-, (+ of .,s o* .e* 8o*E
a'% .,s o* .e* off,:a- :o'%\$:(.

77. P\$*s\$a' ((o s(aff *\$-e !.129 (.e A66-,:a' (,s e'((-e% (o a :e*(f,:a(o' of
se*/,:e. 5o8e/e*9 .,s *eI\$es(,' *e-a,o' (o ?ass\$a' :es of 'o'3*e(a,a,o' a(8o*E
(o' , '(.e f\$(\$*e@ goes ;e+o' % (.e s:o6e of s(aff 9809 0 0 1 383.88 7 19.28 TmU()T j U93492 1 8()47.4

Conclusion

7 . I' /,e8 of (.e fo*ego, 'g⁹ (.e T*, ;\$ 'a- DECIDES:

a. T.e %e:,s,o's (o *e&o/e (.e A66-,:a' (f*o& .,s 6os,(o' ,' (.e [REDACTED]
(o 6-a:e .,& o' SL F 4P a'% 'o((o *e'e8 .,s a66o,'(&e' (a*e \$'-a8f\$- a'%⁹
:o'seI\$e'(-+⁹ (.e+ a*e *es:, '%e%)

; . S.o\$-% (.e Res6o'%e' (e-e:((o 6a+ f,'a':,a- :o&6e'sa(o' , 's(ea% of
effe:(,/e-+ *es:, '%,'g (.e %e:,s,o' 'o((o *e'e8 (.e A66-,:a' (<s a66o,'(&e' (9
.e s.a-- 6a+ (.e A66-,:a' (a' a&o\$' (eI\$, /a-e' ((o o'e +ea*<s 'e(;ase sa-a*+⁹
;e,'g (.e g*oss sa-a*+ -ess s(aff assess&e' (9 a((.e (&e of (.e A66-,:a' (<s
'o'3*e'e8a-)

:. T.e afo*e&e' (o'e% :o&6e'sa(o' ,' -e\$ of *es:,ss,o' s.a-- ;ea*
, '(e'es(a((.e U', (e% S(a(es of A&e*, :a 6*,&e *a(e 8,(. effe:(f*o& (.e %a(e
(.s #\$\$g&e' (;e:o&es eGe:\$(a;-e \$'(- 6a+&e' (of sa,% :o&6e'sa(o'. A'
a%,(o' a- f,/e 6e* :e' (s.a-- ;e a66-,e% (o (.e U', (e% S(a(es of A&e*, :a 6*,&e
*a(e "0 %a+s f*o& (.e %a(e (.s #\$\$g&e' (;e:o&es eGe:\$(a;-e)

%. UNICE4 s.a-- 6*o/,%e (.e A66-,:a' (8,(. a :e*(,f,:a(o' of se*/,:e)

e. T.e Res6o'%e' (s.a-- .o'o\$* .,s :o&&,(&e' ((o 6a+ (.e A66-,:a' (<s
e(\$' (*a/e- eG6e'ses) a' %

f. A-- o(.e* :-a,&s a*e *elle:(e%.

> I #