

Introduction

1. O\$ 9 a\$!a*: 20198 %-e A66,+/a\$%8 a fo*#e* s%aff #e#)e* of %-e US+e" Na%+o\$S De(e,o6#e\$% P*og*a# #e ;<UNDP=>8)ase" +\$ Ne6a,8 f+,e" a\$ a66,+/a%+o\$ %o /o\$%es% %-e "e/+s+o\$ \$o% %o *e\$e? -e* f+@e"4%e*# a66o+\$%#e\$%)e:o\$" %-e "a%e of +%s e@6+*a%+o\$.

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'. 5a(+\$g *e(+e?e" %-e e(+e\$/e +\$ %-+s /ase a,o\$g ?+%- %-e 6a*%+esa s!) #+ss+o\$S8 %-e T*+)!\$, f+\$"s %-a% %-e /o\$%es%e" a" #+\$s%*a%(e "e/+s+o\$?as ,a?f!, a\$" "+s#+sses %-e a66,+/a%+o\$ fo* %-e *easo\$S s%a%e")e,o?.

Rele ant facts

9. O\$ 12 De/e#)e* 201&8 %-e A66,+/a\$% ?as +\$fo*#e" %-a% %-e R!,e of La? 6*oBe/% ?o!,")e *e6,a/e"): a \$e? 6-ase of %-e R!,e of La? 6*og*a# ?+%- #o*e ,+#+e" *eso!*/es. T-e A66,+/a\$%As 6os% ?as %o)e e@%e\$"e" fo* a\$ a""+%+o\$a, s+@ #o\$%-s %o fa/+,+%a%e %-e %*a\$S+%+o\$ %o %-e \$e? 6-ase of %-e 6*oBe/%.

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D. T-e A66,+/a\$% ?as o\$ /e*%+f+e" s+/E ,ea(e fo* se(e*a, 6e*+o"s of %+#e f*o# 21 De/e#)e* 201& %o 10 A6*+, 2018 a\$" ?e\$% o\$ #a%e*\$+%; ,ea(e f*o# 11 A6*+, 2018 %o '1 !, : 2018.

&. To a,o? %-e A66,+/a\$% %o /o#6,e%e -e* #a%e*\$+%; ,ea(e8 %-e A66,+/a\$%As f+@e"4%e*# a66o+\$%#e\$% ?as e@%e\$"e")e:o\$" +%s e@6+*a%+o\$ "a%e of '0 !\$e 2018 !\$%+, 12 A!g!s 20188 a\$" %-e A66,+/a\$% se6a*a%e" f*o# %-e O*ga\$+7a%+o\$ o\$ %-a% "a%e.

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12. I\$ %-e a66,+/a%+o\$% %-e A66,+/a\$% *a+ses se(e*a, g*o!\$"s %o /o\$es% %-e "e/+s+o\$ So% %o *e\$e? -e* f+@e"4%e*# a66o+\$%#e\$% ? -+/- /o\$/e*\$)o%- %-e a)o,+s- #e\$% of -e* 6os% a\$" -e* *+g-% %o)e a66o+\$%e" %o a 6os% ?+%-+\$ %-e O*ga\$+7a%+o\$ a% %-e /o#6,e%+o\$ of -e* #a%e*\$%: ,ea(e. T-e T*+)!\$a, ?+, , *e(+e? %-ese g*o!\$"s +\$ %!*\$.

Was the decision to abolish the Applicant’s post lawful?

1'. T-e A66,+/a\$% f+*s% "+s6!%es %-e *easo\$% 6*o(+ "e"): %-e A" #+s+%*a%+o\$ fo* %-e a)o,+s- #e\$% of -e* 6os% as C-+ef Te/--\$+/a, A" (+se* of %-e R!,e of La? 6*oBe/% a% %-e UNDP off+/e +\$ Ne6a,. S-e s%a%es %-a% e(e\$ %-o!g- %-e 8 A!g!s% 2018 #e#o*a\$" ! # s%a%es %-a% %-e *easo\$ fo* %-e \$o\$4*e\$e?a, of %-e f+@e"4%e*# a66o+\$%#e\$% +s %-e /,os!%e of %-e R!,e of La? 6*oBe/% a\$" s!)seF!e\$% a)o,+s- #e\$% of -e* 6os% +\$!\$e 2018 6*e(+o!s "+s/!ss+o\$% ?+%-+\$ UNDP #a\$age#e\$% -a" +\$"+/a%e" %-a% -e* f!\$/+o\$% ?o!," s%+, ,)e \$ee"e")e:o\$" %-a% "a%e. T-e A66,+/a\$% /,a+#s %-a% -e* a66o+\$%#e\$% ?as e@%e\$"e" fo* s+@ #o\$%-s +\$ De/e#)e* 201& ?-+,e #os% of %-e o6e*a%+o\$% -a" a,*ea":)ee\$ /o#6,e%e" a\$" %-e ,e(e, of ?o*E "!*+\$g %-a% %+#e ?as ,o?. I\$ %-e A66,+/a\$%As (+e? 8 %-+s fa/% +\$"+/a%es %-a% -e* 6os% ?as se,e/%e" fo* "o?\$s+7+\$g \$o%)e/a!se -e* f!\$/+o\$% ?e*e \$o ,o\$ge* \$ee"e")!%)e/a!se s-e ?as a)se\$% f*o# %-e off+/e o\$ #e"+/a, a\$" #a%e*\$%: ,ea(e. T-e A66,+/a\$% f+*\$%s +% <+,og+/a,= %-a% %-e \$e? 6*oBe/% o\$ A//ess %b !s%+/e8 %-a% 1 5789(e)3 . 1 , 1 5789(\$)-0.957028(")6()- 1 10.689(%)-2.53536(-)-0.9564170

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18. T-e Res60\$"e\$ a*g!es %-a% g+(e\$ %-a% %-e R!,e of La? 6*oBe/% ?as \$o% *es%!/!*e")!% e\$"e" as s/-e" !,e"8 %-e A66,+/a\$% -a" \$o *+g-% %o)e /o\$S!,%e" o\$ %-e a)o,+%+o\$ of %-e 6os% s-e e\$/#)e*e"8 a\$" %-e "e(e,o6#e\$% of a \$e? 6*oBe/% "oes \$o% g+(e *+se %o a\$: *+g-%s fo* %-e A66,+/a\$%.

19. T-e A66,+/a\$% *es60\$"s %-a% -e* 6os%+o\$?as a,so /o\$/e+(e" %o 6*o(+e s!66o*% +\$ (a*+o!s a*%eas of a//ess %o B!s%+/e a\$" "8 %-e*efo*

21. I\$ Loeber 20184UNAT48998 a% 6a*a. 188 %-e A66ea,s T*+) !\$,a, *e/a,,e" +%s ?e,, se%%,e" B!*+s6*"! "e\$/e %-a% %-e A" #+\$s%*a%+o\$ -as 6o?e* %o *es%*!/!*"e so#e o* a,, of +%s "e6a%*#e\$%s o* !\$+%s8 +\$/,!"+\$g %-e a)o,+%+o\$ of 6os%8 %-e /*ea%+o\$ of \$e? 6os%a\$" %-e *e"e6,o: #e\$% of s%aff. I% +s \$o% %-e *o,e of %-e T*+) !\$,a, %o +\$e*fe*fe ?+%- a ge\$!+\$e o*ga\$+7a%+o\$a, *es%*!/!*"!+\$g e(e\$ %-o!g- +% #a: -a(e *es!,%e" +\$ %-e ,oss of e#6,o: #e\$% of s%aff. 5o?e(e*8 %-e A66ea,s T*+) !\$,a, a,so *e/a,,e" %-a% e(e\$ +\$ a *es%*!/!*"!+\$g e@e*/+se8 ,+Ee a\$: o%-e* a" #+\$s%*a%+(e "e/+s+o\$8 %-e A" #+\$s%*a%+o\$ -as %-e "!: %o a/% fa+*, :8 B!s%, : a\$" %*a\$6a*e\$%, : +\$ "ea,+\$g ?+%- s%aff #e#)e*s.

22. .!*%-e*#o*e8 +% +s %-e ,o\$g4s\$a\$"+\$g B!*+s6*"! "e\$/e of %-e A66ea,s T*+) !\$,a, %-a% %-e *o,e of %-e D+s6!%e T*+) !\$,a, +s %o "e%e*#+\$e f a\$ a" #+\$s%*a%+(e "e/+s+o\$ +s ,ega,8 *a%+o\$a,8 6*o/e"!*,a,, : /o**e/%8 a\$" 6*o6o*%+o\$a%e. B!% +% +s \$o% +%s *o,e %o /o\$s+"e* %-e /o**e/%\$ess of %-e A" #+\$s%*a%+o\$a\$s /-o+/e a#o\$g% %-e (a*o!s /o!*ses of a/%+o\$ a(a+,a),e. No* +s +% %-e *o,e of %-e T*+) !\$,a, %o s!)s%+%!%e +%s o?\$ "e/+s+o\$ fo* %-a% of %-e Se/*e%a*:4Ge\$e*a, ;Sanwidi 20104UNAT40898 6a*a. 90>.

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29. T-e e(+ "e\$/e *a%-e* s-o?s %-a% %-e A66,+/a\$%As 6os% ?as a)o,+s-e" ?-e\$ %-e 6*oBe/% %o ?-+/- +% ?as a%%a/-e" e\$"e" +\$ De/e#)e* 201&8 a\$" %-a% -e* /o\$%*a/% ?as e@%e\$"e" fo* a\$ a" "+%+o\$a, 6e*o" of s+@ #o\$%-s %o /o(e* %-e ,+#+%e" e@%e\$s+o\$ of %-e 6*oBe/% 6e\$"+\$g %-e /*ea%+o\$ a\$" +\$ 6,e#e\$%a%+o\$ of a \$e? 6*oBe/%.

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2&. T-e T*+) !\$a, f+\$"s %-a% %-e a" #+\$s%*a%+o\$ -as g+(e\$ *easo\$s fo* %-e \$o\$4*e\$e ?a, of %-e A66,+/a\$%As /o\$%*a/% a\$" -as s-o ?\$ %-a% %-e "e/+s+o\$?as \$e+%-e* a*)+%*a*: \$o* +#6*o6e*.

Did the Applicant have a right to “return to work at the co!pletion of her

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