



Elisabeth
Susan M

Introduction

1. The Applicant is a former Security Officer at the FSI level, working with the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo in Kinshasa.
2. On 12 December 2018, he filed an application before the Dispute Tribunal contesting the disciplinary measure of dismissal imposed on him for misconduct.¹
3. On 18 January 2019, the Respondent filed a reply to the application and among others, he requested that should the Tribunal not dismiss the application, he should be given an opportunity to make additional submissions with regard to compensation.²

ORDER

4. In light of the above, the Tribunal directs the Respondent to file submissions on whether, should the Tribunal find that the sanction was disproportionate, instead of dismissal, the disciplinary sanctions should have been separation from service with compensation in lieu of notice or separation from service with termination indemnity.
5. The submissions shall be filed by 5.00 pm (Nairobi time) on 29 July 2020.

(Signed)

Judge Teresa Bravo

Dated this 15th day of July 2020

¹ Application, section V.

² Reply, section IX, para 51.

