



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NY/2015/047

Order No.: 236 (NY/2016)

Date: 7 October 2016

Original: English

Before:

Introduction

1. On 3 August 2015, the Applicant, an Investigations Specialist at the P-4 level at the United Nations Development Programme (“UNDP”), filed an application contesting:
 - (a) decision to allow the conduct of an unlawful investigation in violation of UN/UNDP procedures and of due process;
 - (b) decision to issue a reprimand based on such illegal investigation and its highly disputed evidence;
 - (c) decision, in spite of the above irregularities, to prolong and compound the harm caused to the reputation, health and contractual rights of Applicant and of his family, by denying him due process under the UNDP *Performance Plan Assessment* procedures and UN Staff Rule 1.3, with a threat to use the unlawful [Office of Audit and Investigations] investigation report in the future.
2. On 2 September 2015, the Respondent filed a reply to the application.
3. By Order No. 213 (NY/2015) dated 3 September 2015, the Tribunal ordered the Applicant to file a response to the Respondent’s reply to the application, including on the issues of receivability.
4. On 24 September 2015, the Applicant filed a response to the Respondent’s reply.
5. On the same day, the Applicant also filed a motion for joinder of parties, disclosure of documents, and recusal of the UNDP Legal Support Office as Counsel for the Respondent.
6. By Order No. 257 (NY/2015) dated 2 October 2015, the Tribunal ordered the Respondent to file separate responses to (a) the Applicant’s response to the Respondent’s reply; and (b) the Applicant’s motion.

7. On 8 October 2015, the Respondent filed a response to the Applicant's motion.
8. On 16 October 2015, the Respondent filed a response to the Applicant's re

