

Case No.: UNDT/NY/2022

UNITED NATIONS DISPUTE TRIBUNAL

## **Introduction**

1. On 3 May 2022, the Applicant, a former Ombudsman at the United Nations challenging the decision of the UNICEF Executive Director for Management

Specifically, the Applicant requests the Tribunal to rescind the contested decision and order his reinstatement or, alternatively, as in-lieu compensation. He also requests moral damages for the detrimental effects *dignitas* and personhood.

2. Additionally, the Applicant requests to be granted anonymity and asks the Tribunal to identify him only as *Applicant* and to redact all personally identifiable information in all orders and the judgement in this case.

3. Moreover, the Applicant requests an oral hearing and submits that a hearing is necessary for the adjudication of this case. Also included with the application was a request for permission to exceed the normal page limits for an application, which the Tribunal immediately granted.

4. Finally, the Applicant indicated in his application that after receiving the file a submission identifying all disputed issues of material fact that could be appropriately resolved through an oral hearing. However, no such filing has been received by the Tribunal.

5. The Respondent filed a reply on 3 June 2022 urging the Tribunal to reject scission of the disciplinary measure of dismissal and a fine. According to the Respondent, there is clear and convincing evidence that the Applicant engaged in serious misconduct and the imposed disciplinary measure was proportionate to the established misconduct. The Respondent also argues that the disciplinary measure was in compliance with applicable legal norms and that the Applicant has not provided any evidence that he suffered any harm as a result of the contested decision.



