



1. The Applicant filed on 11 October 2013 the Applicant's contestation of the decision of the United Nations Economic Commission for Africa (UNECOM) not to renew his membership (dated 31 May 2013).

2. The Applicant joined the UNECOM, on 23 September 1986 as an associate at the 944 seats funded ("budget") sources under the Trust Fund.

6. The letter of 5 June 2012\* from the Australian Permanent Mission to the United Nations in Geneva\* the UN, C, 3 as informed about the intention of the Australian delegation to release the content of the report to the team managed by the existing staff of the "Justice" Division /07, D12.

7. In an email dated 26 June 2012\* from the Australian Permanent Mission to the United Nations in Geneva\* to the Director Programme Management Unit\* the release of the "Justice" UN, C, 3 as stressed that the Australian Mission should continue the funding of an "Justice" staff member for the duration of the period of an approved report. The understanding that at this moment until the report is released (the Australian representatives' presence on the release of the Australian side should be ongoing as the case). As a result, the Australian side agreed that the report should not be released until further notice. It is stressed that the intention of the Australian side is not to resume the report after 2013.

8. The memorandum of 26 June 2012\* the "Justice" UN, C, 3 as informed that the Australian side is not in a position to suspend the funding of the report to the UN, C, 3 as no longer in a position to extend the commitment (ended 30 November 2012).

9. In the interim of 2012\* the Australian side filed a request for management evaluation against the decision of 26 June 2012\* regarding the Management Unit /05, U12 to the case in a letter of 15 November 2012\* in the context of ongoing efforts to solve the matter amicably. The Australian representative is a member of the team.

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25. The Committee of 15 June 2013\* of the U7G for Management Information of the Applicant that the 7e)eta)4Gene)as +ad de&ded to a&&#t the )e&commendation of the 5, U to u#+O\$d the &ontested de&ision.

26. The Applicant filed the present application on 11 October 2013 and the





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6. An article under the terms of the Controversies memorandum of  
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32. The findings of the auditors and (former) management and the Board of Directors of the Agency and the Board of Directors of the Agency sent a request for management information on 21 February 2012 of the decision of 26 June 2012 not to extend its appointment (dated 30 November 2012) and I urge the Board of Directors of the Agency on 15 November 2012 to request the Board of Directors of the Agency of 2 November 2012 not to renew its appointment after 31 May 2013 into its term ending 5 June 2012. Thereafter and after the above-mentioned decisions of the Board of Directors of the Agency from 5 June 2012 and the Board of Directors of the Agency of 28 May 2013 not to extend its appointment (dated 31 May 2013). Upon receipt of the 5 June 2013 response of 15 June 2013 to its last request for management information the Agency filed the present application on 11 July 2013.

33. On 13 July 2013 of the auditors and (former) management of the Agency the Board of Directors of the Agency was asked to assess the decision of 28 May 2013 and constitute a new separate administrative decision subject to independent review of the Board of Directors of the Agency of 2 November 2012.

34. The Board of Directors of the Agency notes that the memorandum of 2 November 2012 notified to the Agency on 13 November 2012 "unduly" and "out of context" informed the Board of Directors of the Agency that the Board of Directors of the Agency was not going to be renewed (dated 31 May 2013) and the Board of Directors of the Agency was not going to be renewed (dated 31 May 2013) as an administrative act of ending of "official" term of appointment of UN, C, on 31 May 2013.

35. In the one and only case after 2 November 2012 the Agency and others in UN, C, made efforts to find alternative funding to continue the financing of its post and/or to find alternative funding for the Agency and these actions did not result in any modification of the content of the decision of 2 November 2012. The Board of Directors of the Agency of 2 November 2012 might have been persuaded under the circumstances e.g. if the funding of the Board of Directors had continued (dated 31 May 2013). However, the Board of Directors of the Agency does not "mean" I as argued ("the Agency and I that the above-mentioned efforts failed" a new decision not to

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the end of the Applicant's appointment from 30 November 2012 to 31 May 2013\*

41. The Tribunal considers that under the circumstances of the case at hand and in light of the applicable provisions of the Administrative Tribunal (Law No. 2013/UNAT/4331) the Administrative Tribunal acted in good faith and on the basis that no further action was to be taken in the matter. In the absence of any evidence to the contrary, the Tribunal is satisfied that the Administrative Tribunal acted in good faith and on the basis that no further action was to be taken in the matter.





46. The nature of the Applicant's conduct and status of the Tribunal notes that the Administration did not have an obligation to take the Applicant in another department or to otherwise secure his continued employment.

47. The Tribunal notes that the Administration provided the Applicant with a legitimate reason for the non-renewal of his appointment (see paragraph 31 of the 2013 Decision and that the reason was supported by the facts. Given that the Tribunal rejects that the Applicant's proposed reasons made a considerable contribution to the organization in his area of expertise, the Tribunal would not find that the decision was based on an arbitrary fact of the Administration and that 46(d)81876(1960221(s)- 5 . - 5 .8081(n)-0.9 5 892(a)- 3 .818761(a)- 3 .817