tem o!a!/ natu!e. Neathe! CT.T) no! the A \$\delta\text{#ant and UN,C69} a\*out the !eassagnment at the tame.

- C. ./ memo!andum dated 2( )#to\*e! 2013+ the Ch&ef+ =uman >esou!#es 5e#t&on+ CT.T)+ #onf&!med the A \$\%#ant8s\$ e!manent \$ate!a\$ !eass&gnment %\%th&n CT.T) to the )ff&#e of the 67e#ut&-e 5e#!eta!/+ as the \$atte!8s 5e#ka\$ Ass&stant.
- @. A\*out one month <code>\$ate!+\*/</code> ema&s sent afte! #\$ose of \*us&ness on 9!&da/+ 22 No-em\*e! 2013+ the A <code>\$&#ant &nfo!med the =uman >esou!#es Banage!+D&-&s&on of =uman >esou!#es+ UN,C69+ of the de#&s&on \*/ CT.T) to !eass&gn he! to the os&t&on of 5 e#&a\$ Ass&stant+ and asFed 2%hethe! UN,C69 %as #onsu\$ted o! &nfo!med a\*out th&s3.</code>

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!e?uested he! !etu!n to the ost of Chlef+ ,nte!na\( \) Aud\( \) Aud\( \) CT . T )+ a/ment of mo!a\( \) damages and !e\( \) m\*u!sement of he! \( \) lega\( \) fees.

- 11. ./ \$ette! dated 23 De#em\*e! 2013+ the C/PA<U+ D&-&s&on of =uman >esou!#es+ UN,C69+!e \$&ed to the A \$&#ant that he! management e-a\$uat&on!e?uest %as not !e#e&-a\*\$e+ g&-en that the #ontested de#&s&on %as not taFen on \*eha\$f of the 67e#ut&-e D&!e#to!+ UN,C69+ o! %&th h&s a#?u&es#en#e+ and that he %as+ the!efo!e+ ne&the! a##ounta\*\$e fo! &t no! a\*\$e to !e a&! &ts a\$\$eged un\$a% fu\$ness.
- 12. The 67e#ut&-e 5e#!eta!/+ CT.T)+ !e &ed to the A &#ant&s !e?uest fo! !e-&e% of A De#em\*e! 2013 \*/ memo!andum dated @ Janua!/ 2014. =e noted that a!a. @ of the Ag!eement st& u&ated that the A &#ant %ou&d \*e ass&gned to CT.T) as Ch&ef+ ,nte!na& Aud&t+ and #on#&uded that the o!&g&na& tem o!a!/!eass&gnment and the de#&s&on to e!manent&/!eass&gn the A &#ant %as not &n a##o!dan#e %&th the Ag!eement+ as no %!&tten ag!eem

#om ensatkon fo! UN,C69 \*!ea#h of the Ag!eement. 5he !e?uested !e-&e% of the de#kskon to !e"e#t a/ment of damages fo! \*!ea#h of #ont!a#t.

15. . / t%o se a!ate \$ette!s dated 2@  $9e^*!ua!$  / 2014+ the C/PA<U+ UN,C69+

- 1A. . ./ \$ette! dated A A !&\$ 2014+ the C/PA<U+ UN,C69+ !e \$ked to the A \$&#ant8s 4 A !&\$ 2014 \$ette! ad-&s&ng that he! !e?uest fo! #om ensat&on %as &na os&te and that he! !e?uest fo! management e-a\$uat&on %as moot.

- d. The A %#ant8s #\$a&m that UN,C69 fa&sed to #om \$/ %&th an asseged o\*\$&gat&on to &nte!-ene &n he! !eass&gnment and to !ote#t he! &nte!ests &s %&thout &dent&f&a\*\$e me!&t. A\$\$ the A \$&#ant !e?uested &n he! ema&\$ of 22 No-em\*e! 2013 %as %hethe! UN,C69 had \*een &nfo!med o! #onsu\$ted a\*out he! !eass&gnment; she d&d not !e?uest an/ othe! a#t&on f!om UN,C69 and she made no attem t to fo\$\$o%:u on th&s ema&\$ unt&\$ %e\$\$ afte! he! &nte!:o!gan&Oat&on t!ansfe!. The A \$&#ant8s #\$a&m \*o!de!s on the d&s&ngenuous+ #ons&de!&ng that she d&d not !e?uest an/ &nte!-ent&on o! !ote#t&on f!om UN,C69 %hen she %as tem o!a!&\$/ !eass&gned %&th&n CT.T) &n 2013+ %h&#h+ &n he! o%n &ne of a!gument+ #ons&tuted a \*!ea#h of the Ag!eement;
- e. The!e &s no a#t o! om&ss&on on the a!t of UN,C69 that #an \*e #onst!ued as a \*!ea#h of the Ag!eement. To th&s e7tent+ he! !e?uest fo! #om ensat&on &s %&thout &dent&f&a\*\seta e me!&t;
- f. 6-en on the h/ othes&s that UN,C69 %as unde! an o\*\$\delta\gatkon to taFe some a#tkon u on !e#e& t of the A \$\delta\#\ant\delta\ \text{m} \delta\text{e}\ \text{of the fa#t that the A \$\delta\#\ant\delta\ \text{d}\ \text{n of the fa#t that the A \$\delta\#\ant\delta\ \text{d}\ \text{n of the ha\text{s} he! \delta\text{lnte}!:o!gan&Oatkon t!ansfe! \delta\ \text{#annot} \text{\*e a!gued that she suffe!ed an/ ha!m+ ne-e! m\delta\ \delta\ \text{ln the amount of t\text{%o}} /ea!s net \*ase sa\delta\delta!/;

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Case No. UNDT/GVA/2014/011 UNDT/GVA/2014/013 UNDT/GVA/2014/054

Judgment No. UNDT/2014/143

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1%igned4

Judge Thomas <aFe!

Dated th0221(e) -3.81746(!) 2.5862s a4g

Page 15 of 15