



**UNITED NATIONS APPEALS TRIBUNAL**  
**TRIBUNAL D'APPEL DES NATIONS UNIES**

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Judgment No. 2022-UNAT-1225

**Sarah Coleman**  
**(Appellant)**

**v.**

**Secretary-General of the United Nations**  
**(Respondent)**

**Judgment**

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**Before:** Judge Dimitrios Raikos, Presiding  
Judge Sabine Knierim  
Judge Martha Halfeld

**Case No.:** 2021-1544

**Date:** 18 March 2022

**Registrar:** Weicheng Lin

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**Counsel for Appellant:** Edward Patrick Flaherty

**Counsel for Respondent:** Francisca Lagos Pola



*Note Verbale* from the MOFA in Islamabad referring to a letter dated 24 January 2018 that Ms. Coleman had addressed to it in which she tendered a personal apology for “effecting several [MOFA] protocol breaches in the recent past”.

7. By letter dated 7 February 2018, the Director, Division of Human Resources (DHR), UNICEF, informed Ms. Coleman of the decision to place her on Special Leave With Full Pay (SLWFP), effective the date of her departure from Pakistan, for an initial period of one month. On 9 February 2018, Ms. Coleman departed Pakistan at the request of the Government. Ms. Coleman’s placement on SLWFP was further extended until 30 April 2018.

8. On 14 April 2018, Ms. Coleman was offered a temporary reassignment to the P-4 position of Child Protection Specialist, with remuneration at the P-5 level, in South Sudan, which Ms. Coleman refused. By letter dated 20 April 2018, the Director, DHR, UNICEF, informed Ms. Coleman *inter alia* of the decision to place her on SLWOP as of 1 May 2018 until the expiry of her appointment if no other available positions at the P-5 level arose in the meantime.

9. On 23 April 2018, (3 cl a7 (c)-d(1 Tw R (46 to2))36 to2)a6 ctk(1 TT150ct (04 ( 1-4 (.6 (0.8 (001 Tw Rta7 (c

13. The UNDT also found no merit in Ms. Coleman's claim that UNICEF had failed to send a formal apology to the Government of Pakistan, which, she alleged, n7 (n.)1.s852 179.82 7456(e)-.3 (h)IT.9 (rnm)6 4 f

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on her career, including moral damages for having unlawfully placed and maintained her on SLWOP for a prolonged period, thus causing her prolonged distress, hurt, humiliation, and injury to her reputation, dignity, and self-respect; reinstate her to a position corresponding to her grade, skills, training, and experience with an additional one-year fixed-term contract; and order compensation for actual and material damages as well as costs, plus interest on any sums awarded at the rate of five percent per annum from the date of her request for management evaluation through the date all amounts awarded are paid.

**The Secretary-General's Answer**

28. The UNDT correctly determined that the decision to place Ms. Coleman on SLWOP constituted a lawful exercise of the Administration's discretion and dismissed her application. Pursuant to Staff Rule 5.3(f), the Administration enjoys wide discretion in placing staff members on SLWOP. Because Ms. Coleman failed to renew the documentation necessary to continue to perform her functions from her duty station, the Pakistani authorities requested that she leave the country. While allowing her temporarily to work remotely from the UK, UNICEF made genuine and reasonable efforts to renew her documentation so that she could continue to work from her duty station. Despite the Administration's efforts, the Government of Pakistan did not allow her to remain in the country. Consequently, UNICEF offered Ms. Coleman the opportunity to work elsewhere, i.e., in a P-4 position in South Sudan where she would be remunerated and receive





and November 2017, making several telephone calls and

35. Ms. Coleman's argument that the UNDT erred in finding that UNICEF did not have an obligation to reassign her should be dismissed. She has not explained why the Organization was obliged to reassign her. Despite not having an obligation to find her





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