



Case No. UNDT/GVA/2016/087

Judgment No. UNDT/2017/037

of the above-mentioned dates for the purpose of the United Nations  
; the date at which the same "e-e" was held on  
21 January 2016. The date of the same, as of 12 : a' 2016.

1. As of 12 January 2016, as a result of the Administration's attention to the  
; as a result of the continued financing of the lost  
enacted 05 and the UNCTAD staff member, on the other hand  
a commitment and set-aside against the loss of the "egona"  
"programme. The "programme" had been funded, the "budgetary  
funds and, in the "ante", the "insufficient", the funds from the "programme  
suited to account. Before, on 20 January 2016, the Chief Executive  
: management (see ). D : ; UNCTAD sent a memorandum to the Director  
Director's attention the "serious funding situation of said institution and



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16.

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eff#en\$% \$om!eten\$5 and #nteg'#t5 !'es\$'#0ed 05

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San Oe SanSe"ed )den#ed+ 05 t e ;en#o' De\$'u#te' at t e 'e7uest of t e >#'#ng : anage' o' t e ;taff#ng Ta0'e : anage'.

1. I en t e !os#t#on Oe\$omes no "ong'e' a-a#"a0"e afte' t e Ao0 o!en#ng as Oeen !u0"#s ed% t e >#'#ng : anage' must !'o-#de a deta#"ed , '#tten "\$a'f#Sat#on fo' t e 'easons of SanSe""at#on to t e ;en#o' De\$'u#te'. T e ;en#o' De\$'u#te' ,#" "SanSe" t e Ao0 !ost#ng and t e De\$'u#te' ,#" #nfo'm a"" a!!"#Sants , o a-e a!!"#ed% #f an5.<sup>1</sup>

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7. T e >#'#ng : anage' s a"" Oe a ,a'e t at a Ao0 o!en#ng \$annot Oe SanSe"ed as "ong as t e'e #s one )1+ su#ta0'e \$and#date on t e 'e\$ommended "#st , o as !assed t e assessment e@e'\$#se.

33. T e T'#0una" #s sat#sf#ed t at t e Adm#n#st'at#on #s ent#t'ed to SanSe" a J( % su0Ae\$t to a num0e' of "#m#tat#ons% to , #t8

- a. T e SanSe""at#on must o\$Su' Oefo'e t e assessment e@e'\$#se and t e !"a\$ement of at "east one \$and#date on t e 'e\$ommended "#st )\$erschuur UNDT/2010/12C+9

0. =f% "#<e #n t e !'esent \$ase% an ad-e't#sed !os#t#on Oe\$omes no "ong'e' a-a#"a0"e t e >#'#ng : anage' must !'o-#de a deta#"ed , '#tten "\$a'f#Sat#on fo' t e 'easons of t e SanSe""at#on of t e J(9 and

\$. T e \$and#dates , o a!!"#ed fo' t e J( must Oe #nfo'med of #ts SanSe""at#on.

32. Afte' e@am#nat#on of t e do\$uments at and% t e T'#0una" \$ons#de's t at t e a0o-e\*\$#ted 'e7u#lements ,e'e met #n t #s \$ase. B#st% t e assessment of \$and#dates fo' J( No. 12262 ad not \$ommen\$ed at t e t#me of SanSe""at#on. Conse7uent"5% no \$and#date J #n\$ud#ng t e A!!"#Sant J , as o' \$ou'd a-e Oeen !"a\$ed on t e 'e\$ommended "#st. ;e\$ond% , en% on 16 : a'\$ 2016% UNCTAD

UN (G a \$o!5 of t e memo'andum of 1 : a'\$ 2016 f'om t e ;e\$'eta'5\*Gene'a"% UNCTAD% , #S e@!"a#ned #s de\$#s#on to !'o\$eed ,#t t e "ate'a" 'eass#nment. T #'d% t e A!!"#Sant , as !'om!t'5 #nfo'med of t e \$an\$e""at#on of t e !ost 05 ema#" dated 18 : a'\$ 2016.

31. T e'efo'e% f'om a "ega" stand!o#nt% t e de\$#s#on to \$an\$e" J( No. 12262 fe"" ,#t #n t e Adm#n#st'at#on?s !u'-'e , and , as made #n o0se'-an\$e of a"" t e ne\$essa'5 Sond#t#ons. T e T'#0una" fu't e' st'esses t at not on"5 t e A!!"#Sant ad not Oeen 'e\$ommended J "et a"one se"e\$ted J Out% fa' f'om t e'e% t e assessment ! ases ad not 5et Oeen unde'ta<en. At t at stage% des!#te t e J( a-#ng Oeen ad-e't#sed and t e a!!"#Sat#on !e'#od a-#ng e@!#'ed% t e A!!"#Sant d#d not a-e an5 ent#t"ement to a-e t e se"e\$st#on !'o\$ess O'oug t to \$om!"et#on.

36. ;#n\$e no O'ea\$ of t e A!!"#Sant?s te'ms of a!!o#ntment as Oeen esta0"#s ed% e #s not ent#t"ed to \$om!ensat#on.

37. =n -#e , of t e fo'ego#ng% t e T'#0una" D&C=D&;8

T e a!!"#Sat#on #s d#sm#ssed.

)Signed+

Judge Te'esa 4'a-o

Dated t #s 30<sup>t</sup> da5 of : a5 2017

&nte'ed #n t e Deg#ste' on t #s 30<sup>t</sup> da5 of : a5 2017

)Signed+

DenK : . Va'gas : .% Deg#st'a"% Gene-a