



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 the Applicant's membership (effective 31 May 2013).

2. The Applicant joined the UNECOM, on 23 February 1986 as an associate at the 944 Session funded ("extra-budgetary" sources under the Trust Fund for Africa).

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 and Reconciliation" 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* 'affairs' of the 'Justice and Reconciliation' UN, C, 3 as stressed that the Australian Mission should continue the funding of an "Independent" staff member of the duration of the period of an approved report 3* the understanding that at this moment until the report is released (the Australian representatives* the release of the Australian side should be ongoing as the case). As a result, the representative agreed that the report should not be released until further notice. It is further stressed that the intention of the Australian side is not to resume the report after 2013.

8. The memorandum of 26 June 2012* the 'affairs' of the 'Justice and Reconciliation' UN, C, 3 informed that the Australian Mission* the release of the report should be ongoing as the case. It is further stressed that the Australian Mission should continue the funding of the report to the UN, C, 3 as no release of the report is intended until the end of 30 November 2012.

9. In the letter of 21 November 2012* the Australian Mission* the release of the report should be ongoing as the case. It is further stressed that the Australian Mission should continue the funding of the report to the UN, C, 3 as no release of the report is intended until the end of 30 November 2012* the release of the report should be ongoing as the case. It is further stressed that the Australian Mission should continue the funding of the report to the UN, C, 3 as no release of the report is intended until the end of 30 November 2012.

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26. The Applicant filed the present application on 11 ' &to(e) 2013 and the

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32. The findings of the auditors and the Commission and the Tribunal (under the law) sent a request for management information on 21 February 2012 of the decision of 26 June 2012 not to extend its assignment (on 30 November 2012) and I upon its request 5, U but in accordance with 15 November 2012 the requested 5, U to the Commission of 2 November 2012 not to renew its assignment after 31 May 2013 into its ending 5, U request. Thereafter and after the additional evidence submitted from the Commission and the Tribunal (under the law) the Commission (under the law) sent a request for management information on 31 May 2013 of the decision of 28 May 2013 not to extend its assignment (on 31 May 2013. Upon receipt of the 5, U response of 15 June 2013 to its last request for management information the Commission filed the present application on 11 October 2013.

33. On 3 October 2013 the auditors and the Commission (under the law) the Tribunal (under the law) was to assess the decision of 28 May 2013 constituted a new separate administrative decision subject to independent review on 3 October 2013 constituted a mere confirmation of the earlier decision of 2 November 2012.

34. The Tribunal (under the law) notes that the memorandum of 2 November 2012 notified to the Commission on 13 November 2012 under the law and 3 October 2013 and the Commission (under the law) informed the latter that the TA 3 was not going to be renewed (on 31 May 2013 since the Commission's decision was to be final at that date. The Commission's leads from the Commission as an additional note of ending of "our" -ed) m assignment 3 October UN, C, on 31 May 2013.

35. In the one and only case after 2 November 2012 the Commission and others 3 October UN, C, made efforts to find alternative funding to continue the financing of its post and/or to find alternative funding for the Commission's these actions did not in themselves modify the content of the decision of 2 November 2012. The latter's 3 October 2013 non-renewal decision of 2 November 2012 might have been (re)vised under the circumstances e.g. if the funding of the Commission had continued (on 31 May 2013. However) the foregoing does not mean that I as argued (the Commission I that 3 October 2013 these efforts failed a new decision not to

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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 Applicant acted in good faith and should not be held liable for the actions taken in the implementation of the 2012 decision (with the exception of the duties of the Applicant) in the future.

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 Administration's decision to not renew his appointment, the Tribunal finds that the decision was based on an independent set of facts of the Administration and not on the Applicant's proposed reasons. See paragraph 46(d) of the 2014 Decision (UNDT/2014/115).