

Cas n° UNDT/GVA/2017/092

J ! " # " n \$ n ° UNDT/2019/00%

J0 L" B1 8/2"#=)" 201L9 *a)"; /)an\$ " a /\$/ s/@a)/" 8" *4O)!an(sa\$(-n0

90 L" 20 &an'(") 201%9 *a)"; /)an\$ " a /\$/ (n+-)#/" 8" *a 8/2(s(-n 84- ')() n"
"n; <\$" s (\$" ? sa @*a(n\$ " "\$ 8" *a 2- #-s@(-n 8 !)- @" 27a)!/ 8" *a 2-n8 ()"0 E**"
a /\$/ a 8\$(-nn/" * " J +/'(") 201% "\$ a)", * " 2- #@\$"N)"n8 8" s-n "n\$)"\$("n * "
12 a')(* 201%0

100 L" B0 a')(* 201%9 *a)"; /)an\$ " a \$)ans#(s a !)- @" 27a)!/ 8" *4"n; <\$" s"s
-8(+2a\$(-ns a 2- #@\$)"n8 8" s-n "n\$)"\$("n0 S (\$" ? 2"s # -8(+2a\$(-ns9 * " !)- @"
27a)!/ 8" *4"n; <\$" a @)-@-s/ ? *a)"; /)an\$ " 8" 2-n8 ()" n" n- '***" a 8\$(-n
a' "2 "***9 2" ; " *a)"; /)an\$ " a)" + s/0

110 L" 17 & (**"\$ 201%9 *a)"; /)an\$ " a 8"#an8/ a D()"2\$") 8" *4a8#(n(s\$)a\$(-n9
ONU DC9 *a 2- # # n(2a\$(-n 8)a@@-)\$ 8 !)- @" 27a)!/ 8" *4"n; <\$"0

120 L" 27 & (**"\$ 201%9 * " D()"2\$") 8" *4a8#(n(s\$)a\$(-n9 ONU DC9 a a8)"ss/ ? *a
)"; /)an\$ " n 2-))(** *4(n+-)#an\$; " * " !)- @" 27a)!/ 8" *4"n; <\$" a'a(\$)"#(n/
s-n \$)a'a* "\$; 4(* 8" 'a\$ * (\$)ans#"\$)\$" s-n)a@@-)\$ a 2-)s 8 # -(s 84a-0\$ 201%0
*N(*47(n)-0.923(/)6.8412 5 (-) - 123.0 5 4(?)6.992 1 8(-) - 133.7 14(n)-0.96022 1 (-)-921 8()26.168(+).5 7 T d N

1B0 L" 7 n- "'#=") 201%9 *a)"; /)an\$ " a 8"#an8/ ? n- "'a a D()"2\$") 8"
*4a8#(n(s\$)a\$(-n9 ONU DC9 ; " * ")a@@-)\$ 8 !)- @" 27a)!/ 8" *4"n; <\$" * (s-(\$
2- # # n(; /0

1A0 L" J n- "'#=") 201%9 * " D()"2\$") 8" *4a8#(n(s\$)a\$(-n9 ONU DC9 a /2)(\$? *a
)"; /)an\$ " 2" ; (s (\$:

I an\$(2@a\$ ")"2"('n! \$7")"@-)\$ (n \$7" 2-)s" -+ @2- #(n! P""Qs
P7(27 P(** a** -P # " \$- 2-ns(8") \$7" +(n8(n!s -+\$7" (n'"s\$(!a\$(-n an8
\$- 2- # " \$- a 2-n2* s(-n9 -+ P7(27 K- P(** =" @)- #@\$*K n-\$(+"8
@)s an\$ \$- @)- '(s(-ns -+ s"2\$(-n L01J -+ ST/SGB/200J/L0

1L0 L" 1J 8/2"#=)" 201%9 *a)"; /)an\$ " a a8)"ss/ a D()"2\$") 8"
9.32 5 2()-0.96T2/ ;D01%9 *a)"; /)an\$ 46()- 1 12.397(;)-0.96022 1 ()9.69849 1 ()9.69 5

Cas n° UNDT/GVA/2017/092

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1%0 L" 1B &an'(") 20179 *" !)- @" 27a)!/ 8" *4"n; <\$" a)"n8 s-n)a@@-)\$

Argu ents des !arties

220 L"s a)! # "n\$s 8" *a)"; /)an\$ " s-n\$ *"'s s ('an\$s :

a0 E*** a'a(\$ 8/@-s/ sa @*a(n\$ " * 1L 8/2"#=)" 201L9 *' !)- @ " 27a)!/ 8" *4"n; <\$ " a)a(\$ \$)ans#(s s-n)a@@-)\$ a)"s@-nsa=* " * 27 &an' (") 20179 s-(\$ n an "\$ n #- (s a@).s * 8/@6\$ 8" *a @*a(n\$ " "\$ "n \$-\$a*" 2-n\$)a '"n\$(-n a ' "2 *4a)\$2*" L017 8" *a 2()2 *a()" ST/SGB/200J/L \$

=0 L4a)\$2*" L01J 8" *a #<#" 2()2 *a()" (n8(; " ; " *')"s@-nsa=* 8-(\$ @)"n8)" n" 8/2(s(-n ; an\$ a > s (\$"s ; 4(* 8-nn")a ? *a @*a(n\$ " @-) 7a)2.*" # "n\$0 S(2"\$ \$ " 8/2(s(-n n4"s\$ "n+)"# /" 8ans a 2 n 8/*a(@a)\$2 *(")9 s-n a8-@\$(-n n" sa)a(\$ <\$) " \$a)8(' " "\$ 2-n8 ()" ? *a '(-*a\$(-n 8 8"' -() 8" s-**(2(\$ 8" \$

20 La)"; /)an\$ " a 8)-(\$? n @)-2.s /; (\$a=* " "\$? n)"2-)s \$(" a @).s 84 n -)!an" (#@a)\$ (a* "n 2as 8" 7a)2.*" # "n\$ \$

80 N-n-=\$san\$ *a 2()2 *a()" ST/SGB/200J/L9 "***" n4a @as 8(s@-s/ 84 n)"2-)s \$(" @-) * 7a)2.*" # "n\$ s =("\$ +a "\$ 84-=\$"n() *'s /*/ # "n\$ s ; (@)- ' "n\$ * 7a)2.*" # "n\$9 (* * (s)"a \$).s 8(++(2(* 84-=\$"n() n" (n8" #n(sa\$(-n 8" 2" 27"+ \$ "\$

"0 La)"; /)an\$ " s" \$)- ' " 8ans n" s(\$ a\$(-n - *4(n/!a*(\$/ 8"s a)#"s "\$ \$ -)!an(s/" @a) *4A8#(n(s\$)a\$(-n "\$ "n *4a=s"n2" 84/*/ # "n\$ s ? 27a)!" - ? 8/27a)!"9 @a) *'s "n; <\$))s9 (* * ("s\$ a &-)847 (\$).s 8(++(2(* s(n-n (#@-ss(=* 8" +a()" 'a*-() s"s 8)-(\$ "\$ #<#" 84/'a* ") s"s 27an2"s 8")/ ss(\$"0

2B0 L"s a)! # "n\$s 8 8/+"n8") s-n\$ *"'s s ('an\$s :

a0 L")"+ s 8" \$)ans# "\$)" n)a@@-)\$ 84"n; <\$" n4"s\$ @as n" 8/2(s(-n a8#(n(s\$)a\$(' " ; (@" \$ <\$) " 2-n"\$s\$/" (n8/@"n8a# # "n\$ 8" *a 8/2(s(-n +(na*" 8" 2*-)" * 2as \$

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2%0 Dans sa 8"#an8" 8" 2-n\$)6*" 7(/)a)27(; " 8 17 & (n 2017) *a); /)an\$" a

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Cas n° UNDT/GVA/2017/092

J ! " # " n \$ n ° UNDT/2019/00%

BA0

BJ0 Dans *4a=s"n2" 84 n" 8" #an8" 8" 2-n\$)6*" 7(/)a)27(; " 2-n\$)" *a 8/2(s(-n 8" *4A8#(n(s\$a\$(-n 8" n" @as a**") 8" *4a'an\$ a'"2 n" @)-2/8)" 8(s2(@*(na()" s (\$" ? *a)/2"@\$(-n 8)a@@-)\$ 84"n; <\$"9 *" T)(= na* n4"s\$ @as sa(s(s) 2"\$\$\$" ; "s\$(-n0 En - \$)"9 a ' 8"s /*/#"n\$s 8 8-ss(")9 #<#" s(*a)"; /)an\$" '- *a(\$)" #/8(") ? 2"*a9 +-)2" "s\$ 8" 2-ns\$a\$"); 4 n" \$"" 8/#a)27" s)a(\$ 7-)s 8/*a(0

Dé"ision

B90 :a) 2"s #-\$(+s9 *" T)(= na* DECIDE :

La)"; <\$" "s\$)"&"\$/''0

FSignéH

J !" T)"sa B)a' -

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R"n/ M0 Va)!as M09 !)"++(")9 G"n. '"