Introduction

1.   B+ a66-,:a(,o' f,-e% o' 7 #a'$a*+ 201   a'% *eg,s(e*e% $'%e*

Case No. UNDT/GV / /

5.

1!.   I' A6*,- 2017⁹ (.e A66-,:a'(⁹ 8.o .a% :o&6-e(e% .,s (o$* of %$(+ ,'
        ⁹ 8.,:. .a% s(a*(e% ,' Ags(201"⁹ 8as ,':-$%e% ,' (.e UNICE4
2017 Ro(a(,o' 1 o;,-,(+ EGe*:,se.

20.   O' 2" A6*,- 2017⁹ (.e G-o;a- 4$'% P*og*a&&e :o':$**e% 8,(. (.e %e:,s,o'
(o se-e:(a f,*& fo* a' eG(e*'a- *,sE *e/,e8.

21.   O')0 1a+ 2017⁹ (.e A66-,:a'(s$;,&,((e% (o -o:a- &a'age&e'(a *,sE
assess&e'(a'% a' E'(e*6*,se R,sE 1a(*,G of (.e G-o;a- 4$'% P*og*a&&e ,'
      ⁹ e-a;o*a(,'g .,s :o':e*'s a;3.66653(*) e.

27.   O' 20 A6*,- 201 ⁹ (.e A66-,:a'(*eI$es(e% &a'age&e'(e/a-$a(,o' of (.e %e:,s,o' 'o((o *e'e 8 .,s f,Ge%3(e*& a66o,'(&e'(. O' = #$'e 201 ⁹ (.e ███████ ████████████████████████████ UNICE4⁹ $6.e-% (.e :o'(es(e% %e:,s,o'.

2 .   O' 1= #$'e 201 ⁹ (.e A66-,:a'(8as se6a*a(e% f*o& se*/,:e.

Consideration

o e o !"# a e$ e%

2!.   T.e T*,;$'a- ,s se,Je% of (8o a66-,:a(,o's. O'e⁹ Case No. UNDT/GVA/2017/112⁹ *e-a(es (o (.e A66-,:a'(<s *e&o/a- f*o& .,s 6os,(,o' ,' ████████ a'% .,s s$;seI$e'(6-a:e&e'(o' SL F 4P. T.e o(.e*⁹ Case No. UNDT/GVA/201 /0!"⁹ *e-a(es (o (.e 'o'3*e'e8a- of (.e A66-,:a'(<s f,Ge%3 (e*& a66o,'(&e'(8,(. UNICE4⁹ 8 .,:. eG6,*e% o' 1= #$'e 201 .

)0.   I' /,e8 of (.e Res6o'%e'('(<s 22 O:(o;e* 201! s$;&,ss,o' >see 6a*a. 7 a;o/e⁹ 8 .e*e;+ .e 'o -o'ge* :o'(es(s (.e &e*,(s of (.e a--ega(,o's as se(o$(,' (.e a66-,:a(,o's⁹ (.e T*,;$'a- f,'%s (.a((.e :o'(es(e% %e:,s,o's ,.e.⁹ (o *e&o/e (.e A66-,:a'(f*o& .,s 6os,(,o' ,' ████████⁹ (o 6-a:e .,& o' SL F 4P a'% 'o((o *e'e 8 .,s a66o,'(&e'(;e+o'% 1= #$'e 201 a*e $'-a8f$-. T.e*efo*e⁹ (.e o'-+ -ega- ,ss$e (.a(*e&a,'s fo* a%H$%,:a(,o' ;efo*e (.,s T*,;$'a- ,s (.a(of *e&e%,es.

)1.   I' Case No. UNDT/GVA/2017/112⁹ (.e A66-,:a'(*eI$es(s (.e T*,;$'a- (o o*%e* (.e fo--o8,'g *e&e%,es:

    a.   To %e:-a*e (.e *e&o/a- %e:,s,o's ?'$-- a'% /o,%@ 8,(. *e(*oa:(,/e effe:(‼

    ;.   To a8a*% .,& :o&6e'sa(,o' eI$,/a-e'((o)" &o'(.s of sa-a*+ fo* -oss of ,':o&e a'% ;e'ef,(s‼

    :.   To a8a*% .,& :o&6e'sa(,o' eI$,/a-e'((o 2= &o'(.s of sa-a*+ fo* &o*a- %a&ages‼

%.   To o*%e* UNICE4 (o 6a+ .,& se:$*,(+ e/a:$a(,o' a--o8a':es a'%
e'(,(-e&e'(s a'% *e6a(*,a(,o' (*a/e- eⅮ6e'sesⅮ

e.   To a8a*% .,& :o&6e'sa(,o' fo* -ega- fees ,' a' a&o$'('o(-ess (.a'
USD10ⁿ000Ⅾ a'%

f.   To o*%e* UNICE4 (o ,ss$e a -e((e* of *efe*e':e ,'%,:a(,'g .,s
a:.,e/e&e'(s a'% a' a66*e:,a(,o' of .,s 6e*fo*&a':eⁿ (oge(.e* 8,(.
ass$*a':es (.a(.e 8,-- 'o(;e *e(a-,a(e% aga,'s(.

)2.   I' Case   a;e(ss

Cases Nos.   UNDT/GVA/2017/112
              UNDT/GVA/201 /0!"

#$%g&e'(No.   UNDT/2020/01"

) . No 'e(.e-ess⁹ (.e S(a($(e of (.,s T*,;$'a- 6*o/,%es 'o g$,%e-,'es ,' *e-a(,o' (o (.e e-e&e'(s (.a(:a' ;e :o's,%e*e% ;+ ,((o %e(e*&,'e (.e I$a'($& of a fa,*⁹ *easo'a;-e a'% a%eI$a(e a-(e*'a(,/e :o&6e'sa(,o'. I's(ea%⁹ ,(o'-+ -,&,(s (.e a&o$'(of :o&6e'sa(,o' (o (8o3+ea*s< 'e(;ase sa-a*+ sa/e eG:e6(,o'a- :ases.

)!. I' + "s,e 'a 2012₃UNAT₃2=7 >6a*a. 2 ⁹ (.e A66ea-‹s T*,;$'a- 6*o/,%e% so&e U*

51.   I' (.e g,/e' :,*:$&s(a':es⁹ (.e A66-,:a'(‹s *eI$es((o ;e 6a,% se:$*,(+ e⁄a:$a(,o' a--o8a':es ,s *eℍe:(e%.

52.   Co':e*','g (.e A66-,:a'(‹s :-a,& (o ;e 6a,% *e6a(*,

Cases Nos.   UNDT/GVA/2017/112
                     UNDT/GVA/201 /0!"

#$%g&e'(No.   UNDT/2020/01"

72.   T.e A66ea-s T*,;$'a- .as *$-e% (.a((.e ?;as,: 6*,':,6-e a66-,:a;-e ,' ,'(e*'a(,o'a- :o$*(s o' (.e I$es(,o' of :os(s ,s (.a(ea:. 6a*(+ s.a-- ;ea* ,(s o8 ' :os(s@. I'%ee%9 (.,s T*,;$'a- :a' o'-+ a8a*% :os(s (o a 6a*(+ ,f (.e*e ,s e/,%e''e of a ?&a',fes(a;$se of 6*o:ee%,'gs@ ,.e.9 so&e %eg*ee of ,'(e'(,o' (o a:(f*,/o-o$s-+ »see O Oea 201)3UNAT3)70A.

7).   T.e T*,;$'a-<s 6o8e* (o a8a*% :os(s ,s (.$s *es(*,:(e% ;+ ,(s S(a($$(e (o :ases ,' 8.,:. ,(%e(e*&,'es (.a(a 6a*(+ .as &a',fes(-+ a;$se% (.e 6*o:ee%,'gs ;efo*e ,(. I' (.e a;se':e of s$:. %e(e*&,'a(,o'9 (.e T*,;$'a- :a' 'o(g*a'(sa,% *eI$es(.

7=.   S,':e ,' (.,s :ase (.e*e ,s 'o e/,%e':e of a ?&a',fes(a;$se of 6*o:ee%,'gs@9 (.e A66-,:a'(<s *eI$es(,' (.,s *ega*% ,s *e‖e:(e%.

Le((e* of Refe*e':e

75.   4,'a--+9 (.e A66-,:a'(*eI$es(s (.e T*,;$'a- (o o*%e* (.e O*ga',Ja(,o' (o 6*o/,%e ..,& 8,(. a -e((e* of *efe*e':e ,'%,:a(,'g ?.,s a:..,e/e&e''(s a'% (.e 6e*fo*&a':e of 8o*E9 as 8e-- as9 a -e((e* of ass$*a':e of 'o'3*e(a-,a(,o' a(8o*E ,' (.e f$($*e@.

7".   I' *e-a(,o' (o a :e*(,f,:a(,o' of se*/,:e9 s(aff *$-e !.12 6*o/,%es (.e fo--o8,'g:

> A'+ s(aff &e&;e* 8.o so *eI$es(s s s.a--9 o' -ea/,'g (.e se*/,:e of (.e U',(e% Na(,o's9 ;e g,/e' a s(a(e&e'(*e-a(,'g (o (.e 'a($*e of .,s o* .e* %$(,es a'% (.e -e'g(. of se*/,:e9 O' (.e s(aff &e&;e*<s 8*,((e' *eI$es(9 (.e s(a(e&e'(s.a-- a-so *efe* (o (.e I$a-,(+ of .,s o* .e* 8o*E a'% .,s o* .e* off,:,a- :o'%$:(.

77.   P$*s$a'((o s(aff *$-e !.129 (.e A66-,:a'(,s e'(,(-e% (o a :e*(,f,:a(,o' of se*/,:e. 5o8e/e*9 .,s *eI$es(,' *e-a(,o' (o ?ass$*a':es of 'o'3*e(a-,a(,o' a(8o*E (o' ,' (.e f$($*e@ goes ;e+o'% (.es:o6e of s(aff9 8o9 0 0 1 383. 8 8 7 1 9. 2 8 TmU( ) T j U93 49 2 1 8 ( )47. 4

Conclusion

7 . I' /,e8 of (.e fo*ego,'g⁹ (.e T*,;$'a- DECIDES:

a.   T.e %e:,s,o's (o *e&o/e (.e A66-,:a'(f*o& .,s 6os,(,o' ,' (.e ████ (o 6-a:e .,& o' SL F 4P a'% 'o((o *e'e8 .,s a66o,'(&e'(a*e $'-a8f$- a'%⁹ :o'seI$e'(-+⁹ (.e+ a*e *es:,'%e%ᴰ

;.   S.o$-% (.e Res6o'%e'(e-e:((o 6a+ f,'a':,a- :o&6e'sa(,o' ,'s(ea% of effe:(,/e-+ *es:,'%,'g (.e %e:,s,o' 'o((o *e'e8 (.e A66-,:a'(<s a66o,'(&e'(⁹ .e s.a-- 6a+ (.e A66-,:a'(a' a&o$'(eI$,/a-e'((o o'e +ea*<s 'e(;ase sa-a*+⁹ ;e,'g (.e g*oss sa-a*+ -ess s(aff assess&e'(⁹ a((.e (,&e of (.e A66-,:a'(<s 'o'3*e'e8a-ᴰ

:.   T.e afo*e&e'(,o'e% :o&6e'sa(,o' ,' -,e$ of *es,ss,o' s.a-- ;ea* ,'(e*es(a((.e U',(e% S(a(es of A&e*,:a 6*,&e *a(e 8,(. effe:(f*o& (.e %a(e (.,s #$%g&e'(;e:o&es eGe:$(a;-e $'(,- 6a+&e'(of sa,% :o&6e'sa(,o'. A' a%%,(,o'a- f,/e 6e* :e'((s.a-- ;e a66-,e% (o (.e U',(e% S(a(es of A&e*,:a 6*,&e *a(e "0 %a+s f*o& (.e %a(e (.,s #$%g&e'(;e:o&es eGe:$(a;-eᴰ

%.   UNICE4 s.a-- 6*o/,%e (.e A66-,:a'(8,(. a :e*(,f,:a(,o' of se*/,:eᴰ

e.   T.e Res6o'%e'(s.a-- .o'o$* .,s :o&&,(&e'((o 6a+ (.e A66-,:a'(<s *e($*' (*a/e- eG6e'sesᴰ a'%

f.   A-- o(.e* :-a,&s a*e *eⱧe:(e%.

> *1* e#