

|   | Agency         | Year | SM              | Judgment      | Type  | Judgment decision   | Implementation Decision          |
|---|----------------|------|-----------------|---------------|---|---|----------------------------------|
| 1 | ESCWA          | 2010 | Azzouni         | 2010-UNAT-081 | Unlawful Termination  | The UNDT Judgment is set aside and reinstatement is ordered, or if not reinstated, then alternative compensation is fixed in the amount of two years' net base salary.  | Payment in lieu of reinstatement |
| 2 | UN Secretariat | 2010 | Liyanarachchige | 2010-UNAT-087 | Unlawful Termination  | 1. The Secretary-General summarily dismissed Mr. Don Stanley Liyanarachchige for serious misconduct. The staff member challenged this disciplinary measure before the Dispute Tribunal, which rejected his appeal. The Appeals Tribunal finds that the Dispute Tribunal erred in law in upholding an administrative decision to dismiss a staff member for serious misconduct taken in violation of the requirements of adversarial proceedings and due process. The Appeals Tribunal reverses the contested judgment and rescinds the administrative decision to dismiss Mr. Liyanarachchige. It sets compensation at an amount equivalent to 12 months' net base salary of the Appellant that the Secretary-General may elect to pay as an alternative to his reinstatement arising from the rescission of the decision to dismiss him. | Payment in lieu of reinstatement |
| 3 | UNICEF         | 2010 | Mmata           | UNDT/2010/053 | Unlawful Termination and breaches of investigative procedures | 64. The Respondents unfairly dismissed the Applicant. The charge of serious misconduct is not well-founded. 65. The Tribunal orders rescission of the administrative decision and orders the Respondents to reinstate the Applicant and to make good all his lost earnings from the date of his separation from service to the date of his reinstatement.   | Payment in lieu of reinstatement |
| 4 | UNDP           | 2010 | Farraj          | UNDT/2010/070 | Unlawful Termination  | The decision to terminate the applicant's appointment dated 7 May 2007 be rescinded; In case the respondent elects to pay compensation as an alternative to the rescission, the applicant be paid a sum of USD 45,000 within 60 calendar days of receipt of this judgment;  | Payment in lieu of reinstatement |

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| 5 | UNDP           | 2010 | Alauddin | UNDT/2010/114 | Unlawful Termination | Primarily, the proper order to make is for the applicant's reinstatement upon the same basis that applied to his original contract of employment, namely, secondment or leave from his government or else resignation from service with that government. If the respondent chooses not to reemploy him, the measure of damages – as he has now been separated – is principally the value of the loss of salary and emoluments for the balance of the probable period of appointment, providing the applicant establishes on the balance of probability that he would have been in a position to accept renewal for that period. Since he has been employed by his own government for much of the time up until now, his income from that source must be brought into account and his future income in respect of the future period of entitlement, if any. He is also entitled to the economic loss, if any, that flows from the cutting short of his employment with UNDP which, practically speaking, might well be economically advantageous in Pakistan and elsewhere. | Payment in lieu of reinstatement |
| 6 | UN Secretariat | 2010 | Cohen    | UNDT/2010/118 | Unlawful Termination | The Tribunal therefore rescinds the decision to summarily dismiss the Applicant and <b>ORDERS:</b> (i) the reinstatement of the Applicant; (iv) that compensation be fixed, should the Secretary-General decide in the interest of the Administration not to perform the obligation to reinstate the Applicant, at two years' net base salary at the rate in effect on the date of the Applicant's separation from service,  | Payment in lieu of reinstatement |
| 7 | UN Secretariat | 2010 | Zerezghi | UNDT/2010/122 | Unlawful Termination | In view of the foregoing, the Tribunal DECIDES:<br>1) The applicant's dismissal is rescinded and the respondent is ordered to reinstate him in service with retroactive effect and to issue him a written censure to be placed in his personnel file;<br>2) As an alternative to the rescission of the contested decision and specific performance, the respondent may elect to pay to the applicant eight months of his net base salary at the time of his separation.  | Payment in lieu of reinstatement |
| 8 | UN Secretariat | 2010 | Mbra     | UNDT/2010/185 | Unlawful Termination | Pursuant to Article 10.5 (a) and (b) of the UNDT Statute, the Tribunal hereby <b>ORDERS:</b> i. the reinstatement of the Applicant;<br>iv. that compensation be fixed, should the Secretary-General decide in the interest of the Administration not to perform the obligation to reinstate the Applicant, at two years' net- base salary at the rate in effect on the date of the Applicant's separation from service,  | Payment in lieu of reinstatement |

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| 9  | UN Secretariat | 2010 | Bowen     | UNDT/2010/197 | Unlawful Termination | <p>Article 10(5) provides for rescission of the contested decision or specific performance and an amount of compensation the Respondent may elect to pay as an alternative. 90. The decision to terminate the contract before 24 June 2004 was unlawful and is rescinded.</p> <p>91. Because of the inordinate amount of time that has passed since the contract was breached, there is no possibility of the Applicant being reinstated. The order rescinding the early termination of the contract therefore amounts to a formality. In its place, Mr. Bowen should receive the amount of money and benefits he would have received had the contract run its full course less the payment of notice in lieu he received.</p>   | Payment in lieu of reinstatement |
| 10 | UN Secretariat | 2011 | Harding   | UNDT/2011/017 | Summary Dismissal    | <p>Having considered the case and submissions made in writing and at the oral proceedings before her, the Tribunal GIVES JUDGMENT AND ORDERS AS FOLLOWS:</p> <p>I. The summary dismissal of the Applicant is rescinded. It is accordingly declared null and void and set aside.</p> <p>11. The payment of a sum equivalent to two years net base salary to the Applicant in the circumstances is sufficient compensation for non-reinstatement.</p>  | Payment in lieu of reinstatement |
| 11 | UN Secretariat | 2011 | Grigoryan | UNDT/2011/057 | Unlawful Termination | <p>43. For these reasons, the Tribunal DECIDES:</p> <p>a. The decisions refusing to confirm the Applicant in a post at the P-3 level are rescinded;</p> <p>b. If, rather than implement the decision to rescind, UNHCR elects to pay compensation, it must pay the Applicant the sum of CHF 15,000;</p> <p>c. UNHCR is ordered to pay the Applicant the sum of CHF 2,000 for moral damage;</p>   | Payment in lieu of reinstatement |
| 12 | UNHCR          | 2011 | Borhom    | UNDT/2011/067 | Summary Dismissal    | <p>95. The sanction of summary dismissal was based on unsubstantiated charges. Accordingly, the Tribunal:</p> <p>a. Rescinds the Applicant's summary dismissal and considers that until the date of this judgment the Applicant remains lawfully in the service of the UNHCR.</p> <p>b. Orders the Respondent to reinstate the Applicant in service of the UNHCR with retroactive effect.</p> <p>c. Since the Applicant's dismissal is a termination within the meaning of article 10.5 (a), the Tribunal must, pursuant to that article, set an amount of compensation that the Respondent may elect to pay as an alternative to the rescission of the Applicant's dismissal. The Tribunal considers an appropriate compensation to be the amount of two years' net base salary of the Applicant.</p> | Payment in lieu of reinstatement |

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| 13 | UN Secretariat | 2011 | FRADIN DE BELLABRE | UNDT/2011/080 | Unlawful Termination | 36. In view of the foregoing, the Tribunal DECIDES: (a) The decision not to renew the Applicant's contract is rescinded;<br>(b) If, rather than implement the decision to rescind, the Respondent opts to pay compensation, it shall pay the Applicant two months' net base salary as of 31 July 2009;<br>(c) The Respondent is ordered to pay the Applicant, on account of non-pecuniary damages, one month's net base salary as of 31 July 2009;<br>(d) The Respondent shall deduct from the above-mentioned sums such amounts as it has already paid to the Applicant following the management  | Payment in lieu of reinstatement |
| 14 | UNHCR          | 2011 | Applicant          | UNDT/2011/131 | Unlawful Termination | Considerations 19. Having rescinded the decision to summarily dismiss the Applicant, the Tribunal is required by article 10(5) of the UNDT Statute to set an amount of compensation in lieu of rescission of the impugned decision to summarily dismiss the Applicant. 28. In the Applicant's case that period of time is 2 years and 2 months. In Mmata, UNAT held that there may be cases that take longer to be heard by the UNDT and that this may provide a reason justifying compensation beyond the two-year limit. This is such a case. Compensation in lieu of rescission is set at two years and 2 months net-   | Payment in lieu of reinstatement |
| 15 | WFP            | 2011 | Mushema            | UNDT/2011/162 | Unlawful Termination | 136. Pursuant to Article 10 of its Statute the Tribunal may rescind a contested administrative decision and order specific performance. In cases of appointment, promotion or termination it must set an amount of compensation the Respondent may pay in lieu of rescission or specific performance. Article 10(5)(b) provides for an order of compensation which, in exceptional cases, may exceed the equivalent of two years net base salary.<br>137. The Respondent unfairly dismissed the Applicant. The charge of gross negligence is not well-founded.<br>138. Consequently, the Tribunal orders rescission of the administrative decision and orders the Respondent to reinstate the Applicant and to make good all his lost earnings from the date of his separation from service to the date of his reinstatement.<br>139. In the event that reinstatement is not possible, the Respondent is further ordered to compensate the Applicant for loss of earnings from the date of his separation from service to the date of this Judgment. | Payment in lieu of reinstatement |

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| 16 | WFP            | 2011 | Mwamsaku  | UNDT/2011/163 | Unlawful Termination | <p>106. Pursuant to Article 10 of its Statute the Tribunal may rescind a contested administrative decision and order specific performance. In cases of appointment, promotion or termination it must set an amount of compensation the Respondent may pay in lieu of rescission or specific performance. Article 10(5)(b) provides for an order of compensation which, in exceptional cases, may exceed the equivalent of two years net base salary.</p> <p>107. The Respondent unfairly dismissed the Applicant. The charge of gross negligence is not well-founded.</p> <p>108. Consequently, the Tribunal orders rescission of the administrative decision and orders the Respondent to reinstate the Applicant and to make good all her lost earnings from the date of her separation from service to the date of her reinstatement.</p> <p>109. In the event that reinstatement is not possible, the Respondent is further ordered to compensate the Applicant for loss of earnings from the date of her separation from service to the date of this Judgment.</p> | Payment in lieu of reinstatement |
| 17 | UN Secretariat | 2011 | Applicant | UNDT/2011/192 | Summary Dismissal    | <p>12. An order for the reinstatement of the Applicant is hereby made as provided for under article 10.5. 13. In the event that he cannot be reinstated, the said Applicant shall receive the equivalent of two years net base salary at the P4, step 9 level in lieu of reinstatement and at the rate in effect on the date of the Applicant's separation from service.</p>  | Payment in lieu of reinstatement |
| 18 | OHCHR          | 2011 | Rees      | UNDT/2011/201 | Unlawful Termination | <p>a. The Tribunals recalls its decision in <i>Rees</i> UNDT/2011/156 regarding the rescission of the contested decisions. If the Respondent elects to pay compensation as an alternative to the rescission of the non-renewal of her appointment, the Applicant is awarded two years' net base salary at the P-5 level and step which she had on 31 March 2010, plus the entitlements listed in paragraph 17 above, the foregoing reduced by the net take-home pay which the Applicant has received and will receive in the period of two years following her separation from OHCHR, that is, up to 31 March 2012;</p>   | Payment in lieu of reinstatement |
| 19 | UNICEF         | 2011 | Rasool    | UNDT/2011/207 | Unlawful Termination | <p>a. The sanction of summary dismissal imposed on the Applicant is rescinded and replaced by the sanction of demotion from GS-7 to GS-6; b. If UNICEF decides not to reinstate the Applicant as from 4 October 2007, the Applicant shall receive compensation equal to the net base salary that he would have received at grade GS-6 from that date until 30 April 2008; c. As compensation for moral damage, UNICEF is ordered to pay the Applicant two months' net base salary as at the date of his dismissal.</p>  | Payment in lieu of reinstatement |

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| 20 | UN Secretariat | 2013 | Perelli         | 2013-UNAT-291 | Summary Dismissal    | 70. The appeal is allowed and the Judgment of the UNDT that the dismissal was lawful is reversed. Thus, we order Ms. Perelli's reinstatement or, if the Administration so chooses, the award to her of two years' net base salary at the rate in effect at the date of this Judgment in lieu of rescission of the dismissal.   | Payment in lieu of reinstatement |
| 21 | UN Secretariat | 2012 | Nyambuza        | UNDT/2012/139 | Unlawful Termination | 90. The sanction of summary dismissal was based on unsubstantiated charges. Accordingly, the Tribunal: a. Rescinds the Applicant's summary dismissal and holds that until the date of this judgment the Applicant remained lawfully in the service of the Organization. b. Orders the Respondent to reinstate the Applicant in service of MONUC (or MONUSCO) with retroactive effect. c. Since the Applicant's dismissal is a termination within the meaning of art. 10.5 (a), the Tribunal must, pursuant to that article, set an amount of compensation that the Respondent may elect to pay as an alternative to the reinstatement of the Applicant. An appropriate compensation in lieu of reinstatement is to be the amount of two years' net base salary of the Applicant. | Payment in lieu of reinstatement |
| 22 | UN Secretariat | 2014 | Diabagate       | 2014-UNAT-403 | Summary Dismissal    | 38. The appeal is granted and Judgment No. UNDT/2013/009 is reversed. The decision to summarily dismiss Mr. Diabagate is rescinded and he shall be reinstated or, in lieu thereof, he shall be awarded compensation in the amount of one year's net base salary.   | Payment in lieu of reinstatement |
| 23 | OCHA           | 2013 | Tadonki         | UNDT/2013/032 | Unlawful Termination | 336. Given the circumstances and the history surrounding this case, the Tribunal does not find it appropriate or pragmatic to reinstate the Applicant under the same terms that existed at the time of his wrongful separation from service. 338. As an alternative to reinstatement, the Tribunal ORDERS that the Respondent shall further pay the Applicant two years' net base salary as compensation.  | Payment in lieu of reinstatement |
| 24 | UN Secretariat | 2013 | ARIGI-OIKELOMEN | UNDT/2013/036 | Unlawful Termination | In view of the foregoing, the Tribunal: a. Orders the Respondent to reinstate the Applicant in service of the UNON with retroactive effect. Since the non-renewal of the Applicant's appointment is a termination within the meaning of art. 10.5 (a) of the Statute of the Dispute Tribunal, the Tribunal must, pursuant to that article, set an amount of compensation that the Respondent may elect to pay as an alternative to the reinstatement of the Applicant. An appropriate compensation in lieu of reinstatement is to be the amount of one year's net base salary of the Applicant.  | Payment in lieu of reinstatement |
| 25 | UN Secretariat | 2013 | Hersh           | UNDT/2013/062 | Unlawful Termination | The Tribunal orders rescission of the administrative decision to separate the Applicant from service and orders the Respondent to reinstate the Applicant. 122. Should the Secretary-General decide, in the interest of the Administration, not to perform the obligation to reinstate the Applicant, as an alternative he must pay compensation to the Applicant in the sum of two years' net base salary at the rate in effect at the date of Judgment.  | Payment in lieu of reinstatement |

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| 26 | UN Secretariat | 2013 | Eissa        | UNDT/2013/112 | Unlawful Termination | 112. The Tribunal orders rescission of the administrative decision to separate the Applicant from service and orders the Respondent to reinstate the Applicant. Should the Secretary-General decide, in the interest of the Administration, not to perform the obligation to reinstate the Applicant, as an alternative he must pay compensation to the Applicant in the sum of two years' net base salary at the rate in effect at the date of Judgment.            | Payment in lieu of reinstatement |
| 27 | UN Secretariat | 2013 | Andreyev     | UNDT/2013/152 | Unlawful Termination | 110. The Tribunal orders rescission of the administrative decision to separate the Applicant from service and directs the Respondent to reinstate him. 111. Should the Secretary-General decide not to perform the obligation to reinstate the Applicant, he must in the alternative pay compensation to the Applicant in the sum of two years' net base salary at the rate in effect at the date of Judgment.   | Payment in lieu of reinstatement |
| 28 | WFP            | 2014 | Flores       | UNDT/2014/025 | Unlawful Termination | In light of the foregoing the Tribunal DECIDES: 76. The contested decision from 24 June 2010 is rescinded. 77. References relating to the Applicant's sanction, separation from service without termination indemnity, are to be removed from her official status file. 78. In the event that the Respondent decides not to rescind the decision, he is ordered to compensate the Applicant in the amount of USD5,000.   | Payment in lieu of reinstatement |
| 29 | UN Secretariat | 2014 | MASYLKANOV A | UNDT/2014/137 | Unlawful Termination | 93. In view of the foregoing, the Tribunal DECIDES: a. The decision not to renew the Applicant's temporary appointment was unlawful and, as such, is hereby rescinded; b. In case the Respondent elects to pay compensation instead of rescission, the amount of compensation to be paid to the Applicant is the equivalent to three months of full emoluments at the position she used to hold within UNAMA.  | Payment in lieu of reinstatement |
| 30 | UN Secretariat | 2015 | Ocokoru      | UNDT/2015/004 | Unlawful Termination | 131. The Tribunal orders rescission of the administrative decision to separate the Applicant from service and orders the Respondent to reinstate the Applicant.<br>132. Should the Secretary-General decide, in the interest of the Administration, not to perform the obligation to reinstate the Applicant, as an alternative he must pay compensation to the Applicant in the sum of two years' net base salary at the rate in effect at the date of Judgment.    | Payment in lieu of reinstatement |
| 31 | UNHCR          | 2015 | Maslei       | UNDT/2015/041 | Unlawful Termination | 145. In view of the foregoing the Tribunal decides: a. The decision not to extend the Applicant's fixed-term appointment beyond 31 December 2013 is rescinded; b. The amount of compensation that the Respondent may elect to pay to the Applicant as an alternative to the rescission is set at her net base salary and entitlements not related to actual service performance from 31 January to 31 December 2014, less any salary she earned from September 2014; | Payment in lieu of reinstatement |

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| 32 | UN Secretariat | 2015 | Maiga       | UNDT/2015/048 | Unlawful Termination | 165. The Tribunal orders rescission of the contested decision and orders the Respondent to reinstate the Applicant and deploy her in the next P-5 country representative position available, or a similar post, together with payment of salary at the upgraded P-5 level since the time of her separation. 166. Should the Secretary-General decide, in the interest of the Administration, not to perform the obligation to reinstate the Applicant, as an alternative he must pay compensation to the Applicant in the sum of two years' net base salary at the rate in effect at the date of Judgment.   | Payment in lieu of reinstatement |
| 33 | UN Secretariat | 2015 | Kashala     | UNDT/2015/093 | Summary Dismissal    | 38. The Tribunal, having taken note of the judgment in <i>Nyambuza</i> UNDT/2012/139 and UNAT's affirmation of it in Judgment No. 2013-UNAT-364, orders the following: a. Rescission of the Applicant's summary dismissal and his reinstatement in service with MONUSCO with retroactive effect. b. Since the Applicant's dismissal is a termination within the meaning of art. 10.5(a) of the Statute of the Dispute Tribunal, the Tribunal must set an amount of compensation that the Respondent may elect to pay as an alternative to the reinstatement of the Applicant. An appropriate compensation in lieu of reinstatement is the payment of two years' net base salary at the Applicant's grade and level as of the time he was summarily dismissed from service. | Payment in lieu of reinstatement |
| 34 | UNHCR          | 2015 | Alexandrian | UNDT/2015/119 | Unlawful Termination | The finding of misconduct against the Applicant is unlawful. 193. The Tribunal rescinds the administrative decision to separate the Applicant without notice or termination indemnity and orders the Respondent to reinstate the Applicant. In the event that reinstatement/rescission is not possible, the Respondent is to pay compensation in an amount equal to six month's net base salary, based on the salary that the Applicant was receiving  | Payment in lieu of reinstatement |
| 35 | UNICEF         | 2016 | KANGANATHAN | UNDT/2016/017 | Unlawful Termination | 73. Having found that the contested decision is unlawful because dismissal is disproportionate to the gravity of the misconduct, the Tribunal rescinds it and substitutes the disciplinary measure imposed thereto with a written censure in accordance with art. 10.5(a) above (see e.g. Portillo Moya 2015-UNAT-523; Abu Hamda 2010-UNAT-022). 74. Pursuant to the same provision, the Tribunal shall set an amount of compensation that the Respondent may elect to pay as an alternative to the rescission as the contested decision concerns termination. In the present case to award compensation in lieu of rescission in an amount equal to one year net base salary, based on the Applicant's salary on the date of the termination of her                       | Payment in lieu of reinstatement |
| 36 | UNICEF         | 2016 | Akhtab      | UNDT/2016/068 | Unlawful Termination | 132. In view of the foregoing, the Tribunal decides: a. The decision not to renew the Applicant's FTA beyond 30 June 2014 is rescinded; b. The amount of compensation that the Respondent may elect to pay to the Applicant as an alternative to the rescission is six months net base salary;   | Payment in lieu of reinstatement |

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| 37 | UNHCR          | 2016 | Mohamed   | UNDT/2016/084 | Unlawful Termination | 89. The Tribunal finds that: a. For the foregoing reasons, the contested administrative decision was unlawful and is rescinded.<br>b. As the contested decision concerns termination of the Applicant's employment the Respondent may elect to pay to him compensation as an alternative to rescission. In this case this compensation would normally be the entitlements to which he would have been due up to the end of his fixed-term appointment.   | Payment in lieu of reinstatement |
| 38 | UNDP           | 2016 | El-Kholy  | UNDT/2016/102 | Unlawful Termination | The decision to terminate the permanent contract of employment of the Applicant is rescinded. 97. As an alternative to specific performance, the Respondent may elect to pay to the Applicant compensation of two years' net base pay calculated at the rate of her last salary payment at the time of termination, under art. 10.5(a) of the Tribunal's Statute.  | Payment in lieu of reinstatement |
| 39 | UN Secretariat | 2016 | Fasanella | UNDT/2016/193 | Unlawful Termination | 98. The application succeeds. 99. The decision to terminate the Applicant's permanent contract is rescinded. 100. As an alternative to rescission, the Respondent may elect to pay the Applicant compensation in the amount of two years' net base salary, minus any termination indemnity paid to him upon his separation.  | Payment in lieu of reinstatement |
| 40 | UN Secretariat | 2016 | Zachariah | UNDT/2016/195 | Unlawful Termination | 98. The application succeeds. 99. The decision to terminate the Applicant's permanent contract is rescinded. 100. As an alternative to rescission, the Respondent may elect to pay the Applicant compensation in the amount of two years' net base salary, minus any termination indemnity paid to him upon his separation.  | Payment in lieu of reinstatement |
| 41 | UN Secretariat | 2016 | Nakhlawi  | UNDT/2016/204 | Unlawful Termination | 115. It is the Judgment of the Tribunal that: a. The decision to terminate the Applicant's permanent appointment is rescinded; b. The Respondent is ordered to reinstate the Applicant to a post commensurate with the grade she had at the time of her separation; c. If reinstatement is not possible, the Respondent may elect to pay to the Applicant compensation of three years' net base pay calculated at the rate of her last salary payment at the time of termination, under art. 10.5(a) of the Tribunal's Statute, plus compensation in the amount equal to the contributions (the staff member's and the Organization's) that would have been paid to the United Nations Joint Staff Pension Fund for a three-year period; | Payment in lieu of reinstatement |
| 42 | UNDP           | 2016 | Sarrouh   | UNDT/2016/220 | Unlawful Termination | 140. In the light of the foregoing, the Tribunal DECIDES: b. The contested termination decision is rescinded; c. As pecuniary damages in lieu of rescission, the Tribunal will grant the Applicant's request for pecuniary compensation consisting in net-base salary from 31 July 2015 to 28 August 2017. In addition, the Applicant shall receive compensation in the amount equal to the contributions (staff member's and the Organization's) that would have been paid to the United Nations Joint Staff Pension Fund for two years and 28 days;  | Payment in lieu of reinstatement |

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| 43 | UNRWA          | 2017 | Bagot   | 2017-UNAT-718 | Unlawful Termination | Thus, we order Mr. Bagot's reinstatement or, if the Administration so chooses, the award to him of twelve months' net base salary at the rate in effect at the date of this Judgment in lieu of rescission of the separation.   | Payment in lieu of reinstatement |
| 44 | UNHCR          | 2017 | Timothy | UNDT/2017/080 | Unlawful Termination | The contested decision is rescinded and the Respondent is to retain the Applicant with retroactive effect from 31 December 2016 in any current suitable available post(s).<br>c. In case the issuance of the decision to retroactively retain the Applicant from 31 December 2016 will no longer not possible within the deadline established by the Tribunal due to unforeseen circumstances, which are to be fully disclosed to the Applicant, pursuant to art. 10.5 (a) of the Statute, as an alternative to the rescission of the decision and to the specific performance ordered by the Tribunal, the Respondent may elect to pay to the Applicant a compensation of 12 months net-base salary. In addition, the Applicant shall receive compensation in the amount equal to the contributions (hers and that of the Organization) that would have been paid to the United Nations Joint Staff Pension Fund for this period | Payment in lieu of reinstatement |
| 45 | UNDP           | 2017 | Shadian | UNDT/2017/087 | Unlawful Termination | a. The decision to abolish the Applicant's post and not to renew his fixed-term appointment are rescinded; b. The Respondent is ordered to reinstate the Applicant to the post of Assistant Resident Representative in the Iran Country Office and to pay him his salary retroactively, after deduction of USD2000 per month; c. If reinstatement is not possible, the Respondent may elect to pay to the Applicant compensation of three years' net base pay calculated at the rate of his last salary payment at the time of non-renewal, under art. 10.5(a) of the Tribunal's Statute, plus compensation in the amount equal to the contributions (the staff member's and the Organization's) that would have been paid to the United Nations Joint Staff Pension Fund for a three-year period;  | Payment in lieu of reinstatement |
| 46 | UNICEF         | 2018 | Rehman  | UNDT/2018/031 | Unlawful Termination | a. The decision not to renew the Applicant's FTA beyond 31 December 2015 is rescinded;<br>b. The amount of compensation that the Respondent may elect to pay to the Applicant as alternative compensation is one-year net base salary;  | Payment in lieu of reinstatement |
| 47 | UN Secretariat | 2019 | Tosi    | UNDT/2019/003 | Unlawful Termination | 104. In light of its conclusions at paragraph 103 above, the Tribunal orders the following remedies: a. Rescission of the decision not to renew the Applicant's appointment beyond 30 June 2015. b. Payment of the Applicant's net base salary from 1 August 2015 to 31 October 2015. c. Compensation in the amount of one month's net base salary for the procedural irregularity of separating the Applicant on 31 July 2015 instead of 30 October 2015.  | Payment in lieu of reinstatement |

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| 48 | UN Secretariat | 2019 | Bharaty  | UNDT/2019/021  | Unlawful Termination | The impugned decision is rescinded. The Applicant is granted one year net base salary.  | Payment in lieu of reinstatement |
| 49 | UNOPS          | 2019 | Allen    | 2019-UNAT-951  | Unlawful Termination | We reverse Judgment No. UNDT/2019/029. We rescind the Respondent's non-renewal of Mr. Allen's appointment and alternatively award compensation equivalent to six months' net base salary. Finally, we direct the removal from Mr. Allen's personnel file of any information that is inconsistent with the terms of our Judgment   | Payment in lieu of reinstatement |
| 50 | UNICEF         | 2019 | Ahooja   | UNDT/2019/033  | Unlawful Termination | 182. The Tribunal has found for the Applicant in all matters complained of and makes the following ORDERS: a. The disciplinary measure of dismissal from service without notice is rescinded; b. Should the Respondent elect to pay financial compensation instead of rescinding the decision, the Applicant shall be paid, as an alternative, 24 months of her net base salary at the rate that she was paid at the time of her separation;  | Payment in lieu of reinstatement |
| 51 | WFP            | 2019 | NEGUSSIE | UNDT/2019/109  | Unlawful Termination | 76. The Tribunal orders the Respondent to rescind the administrative decision and to reinstate the Applicant.<br>77. Considering that at the time of the Applicant's separation from service, he had successfully served with WFP as locally recruited field staff for about two years and on a fixed-term appointment for 15 months, the Tribunal considers that minus his unlawful separation from service, he would have continued to serve on an FTA for at least another year. The Tribunal therefore sets in-lieu compensation in the amount of 12 months' net base | Payment in lieu of reinstatement |
| 52 | UN Secretariat | 2019 | Robinson | UNDT/2019/137  | Unlawful Termination | 97. Since at present the Applicant's post has been eliminated and subsumed by the revived P-5 post, a rescission of the impugned decision would not be appropriate. The question boils down to compensation for financial and moral harm. The Tribunal accepts, therefore, that the proven financial damage for the Applicant in nexus with the unlawful separation consisted of eight months of unemployment and the attendant loss of emoluments.   | Payment in lieu of reinstatement |
| 53 | UNFPA          | 2019 | Collins  | 2020-UNAT-1021 | Unlawful Termination | 54. The appeal is upheld in part and Judgment No. UNDT/2019/164 is modified, insofar as the decision to terminate Ms. Collins' appointment is rescinded. As an alternative to the rescission, the Secretary-General may elect to pay compensation in lieu at the amount of six months' net base salary, which shall be paid within 60 days of this Judgment becoming executable.  | Payment in lieu of reinstatement |

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| 54 | UNRWA          | 2020 | Kaddoura  | UNRWA/DT/2020/066 | Unlawful Termination | <p>i) The impugned decision to impose on the Applicant the disciplinary measure of separation from service with termination indemnity is hereby rescinded;</p> <p>ii) Should the Respondent elect to pay financial compensation instead of effectively rescinding the impugned decision, he shall pay the Applicant the alternative compensation in lieu of rescission equivalent to the amount of two years' net base salary;</p> <p>iv) The Agency is ordered to disburse to the Applicant the entirety of her termination indemnity in accordance with paragraph (a) of Annex II of International Staff Rules;</p> | Payment in lieu of reinstatement |
| 55 | UN Secretariat | 2020 | Andelic   | UNDT/2020/007     | Unlawful Termination | <p>74. In view of the foregoing, the Tribunal DECIDES: a. The application is granted; b. The decision not to renew the Applicant's FTA is rescinded; c. As an alternative to the rescission of the decision, the Respondent may elect to pay the Applicant an amount equivalent to the nine months of her net base salary at the grade and level that she held at the time of her separation from service;</p>  | Payment in lieu of reinstatement |
| 56 | UNICEF         | 2020 | Applicant | UNDT/2020/016     | Unlawful Termination | <p>78. In view of the foregoing, the Tribunal DECIDES: a. The decisions to remove the Applicant from his position to place him on SLWFP and not to renew his appointment are unlawful and, consequently, they are rescinded; b. Should the Respondent elect to pay financial compensation instead of effectively rescinding the decision not to renew the Applicant's appointment, he shall pay the Applicant an amount equivalent to one year's net base salary, being the gross salary less staff assessment, at the time of the Applicant's non-renewal;</p>   | Payment in lieu of reinstatement |
| 57 | UN Secretariat | 2020 | Icha      | 2021-UNAT-1077    | Unlawful Termination | <p>55. The appeal is partially granted. The decision to terminate Ms. Icha's fixed-term appointment is rescinded, and the Secretary-General is ordered to reinstate Ms. Icha on similar terms and conditions of employment. As an alternative to the order of reinstatement, the Secretary-General may elect to pay an amount of compensation equal to eight months' net base salary in effect at the time of the Appellant's separation from service</p>   | Payment in lieu of reinstatement |
| 58 | UN Secretariat | 2020 | Nugroho   | UNDT/2020/032     | Unlawful Termination | <p>72. In view of the foregoing, the Tribunal DECIDES that the application is granted as follows: a. The decision to separate the Applicant from service is rescinded; b. As an alternative to the rescission of the decision the Respondent may elect to pay the Applicant compensation equivalent to two years' net base salary; and</p>  | Payment in lieu of reinstatement |

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| 59 | UN Secretariat | 2020 | Loose    | UNDT/2020/038 | Unlawful Termination | 80. In view of the foregoing, the Tribunal DECIDES: b. The decision not to renew the Applicant's FTA and, consequently, to separate her from service is rescinded; c. As an alternative to the rescission of the decision the Respondent may elect to pay the Applicant compensation equivalent to twelve months' net base salary;  | Payment in lieu of reinstatement |
| 60 | UNDP           | 2020 | Hassan   | UNDT/2020/051 | Unlawful Termination | 55. In light of the foregoing, the Tribunal DECIDES: a. The application is granted in part; b. The decision not to renew the Applicant's fixed-term appointment beyond 28 February 2018 is rescinded; c. Should the Respondent elect to pay in lieu compensation, the Applicant shall be paid, as an alternative, a sum equivalent to two months of the Applicant's net-base salary at the time of his separation;  | Payment in lieu of reinstatement |
| 61 | UN Secretariat | 2020 | Quatrini | UNDT/2020/053 | Unlawful Termination | 50. In light of the foregoing, the Tribunal DECIDES that: a. The decision to not renew the Applicant's fixed-term appointment is rescinded and the reinstatement of the Applicant is ordered; b. As compensation in lieu under art. 10.5(a) of the Dispute Tribunal's Statute, the Respondent is to pay the Applicant six months' net-base salary at the P-5, step X level as per the salary scale in effect at the time of the Applicant's separation from service; c. As compensation for pecuniary damage under art. 10.5(b) of the Dispute Tribunal's Statute, the Respondent is to pay to the Applicant 18 months' net-base salary at the P-5, step X level as per the salary scale in effect at the time of the Applicant's separation from service minus USD132,833, but only if a balance in the Applicant's favor results from this calculation;   | Payment in lieu of reinstatement |
| 62 | UNOPS          | 2020 | Williams | UNDT/2020/054 | Unlawful Termination | 59. In light of the foregoing, the Tribunal DECIDES: a. The decision not to renew the Applicant's fixed-term appointment beyond 31 December 2017 is rescinded and the reinstatement of the Applicant is ordered; should the Respondent elect to pay compensation in lieu, under art. 10.5(a) of the Dispute Tribunal's Statute, the Respondent is to pay the Applicant three months' net-base salary at the D-2, step I level as per the salary scale in effect at the time of the Applicant's separation from UNOPS' service; b. As compensation for pecuniary damages under art. 10.5(b) of the Dispute Tribunal's Statute, the Applicant shall be paid a sum equivalent to two months' net-base salary at the D-2, step I level plus twenty two months' net-base salary difference between the D-2, step I level and the D-1, step II level as per the salary scale in effect at the time of the Applicant's separation from UNOPS' service; | Payment in lieu of reinstatement |

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| 63 | UN Secretariat | 2020 | Geegbae   | UNDT/2020/061  | Unlawful Termination | 55. In light of the foregoing, the Tribunal DECIDES: a. The application is granted in part; b. The decision to terminate the Applicant's fixed-term appointment is rescinded and the reinstatement is ordered; c. Should the Respondent elect to pay in-lieu compensation, the Applicant shall be paid, as an alternative, a sum equivalent to five months and 15 days' net-base salary at the time of his separation;  | Payment in lieu of reinstatement |
| 64 | UN Secretariat | 2021 | Lucchini  | 2021-UNAT-1121 | Unlawful Termination | The cross-appeal is upheld to the limited extent that the order of the UNDT is modified by an order rescinding the contested decision and setting an amount of compensation ( <i>in lieu</i> ) equivalent to two years' net base pay that the Secretary-General may elect to pay as an alternative to the rescission of the contested administrative decision.  | Payment in lieu of reinstatement |
| 65 | UNHCR          | 2020 | Khamis    | UNDT/2020/147  | Unlawful Termination | 54. The impugned decision is rescinded. At the time of his dismissal on 14 December 2018, the Applicant held a fixed-term appointment, which was due to expire on 31 October 2020. The Respondent may opt to pay compensation in lieu of rescission. 55. The compensation limit is normally two years' net base salary, in accordance with art. 10.5(a) of the Statute. Only in exceptional circumstances can an enlarged quantum be considered. The Applicant's fixed-term appointment may not have been renewed or may have been terminated for a number of reasons, the compensation awarded under art. 10.5(a) will therefore be limited to 23 months' net base salary, representing the unfinished period to the end of his contract | Payment in lieu of reinstatement |
| 66 | UN Secretariat | 2020 | Applicant | UNDT/2020/204  | Unlawful Termination | 69. In the circumstances the Tribunal orders rescission of the decision dismissing the Applicant from service with the Organization and further orders that failing reinstatement, the Applicant should be compensated <i>in lieu</i> of rescission with two years' net base salary.  | Payment in lieu of reinstatement |
| 67 | UNDP           | 2021 | Lekoetje  | UNDT/2021/002  | Unlawful Termination | 86. The decision is rescinded in accordance with art. 10(5)(a) of this Tribunal's Statute. The Respondent may opt to pay compensation <i>in lieu</i> of rescission comprising her salary from the date of termination to the date when the Applicant would have retired from service.   | Payment in lieu of reinstatement |
| 68 | UN Secretariat | 2021 | Yavuz     | UNDT/2021/062  | Unlawful Termination | 81. In view of the foregoing, the Tribunal DECIDES that: a. The decision not to renew the Applicant's fixed-term appointment is rescinded and the reinstatement of the Applicant is ordered; b. Regarding compensation in lieu under art. 10.5 of the Tribunal's Statute, the Respondent is to pay the Applicant an amount equivalent to three months of his net-base salary at the grade and level that he held at the time of his separation from service;  | Payment in lieu of reinstatement |

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| 69 | UN Women       | 2021 | Varona        | UNDT/2021/068 | Unlawful Termination | 42. In light of the foregoing, the Tribunal DECIDES: a. The decision not to renew the Applicant's fixed-term appointment is rescinded and the reinstatement is ordered; b. Should the Respondent elect to pay in lieu compensation, the Applicant shall be paid, as an alternative, a sum equivalent to one year of the Applicant's net-base salary at the time of her separation;   | Payment in lieu of reinstatement |
| 70 | UN Secretariat | 2021 | MUKHOPADHY AY | UNDT/2021/085 | Unlawful Termination | 64. The Tribunal rescinds the contested decision. The Applicant shall be reinstated in his position from the date of his separation. Pursuant to art. 10.5(a) of the Tribunal's Statute, the Respondent may elect to pay compensation in lieu of rescission. 66. The Applicant held a continuing appointment and he applied in vain for suitable positions in order to be absorbed in the system. The in-lieu compensation is set at the equivalent of two years' net base salary. This award is consistent with awards made in cases of similar nature and affirmed by UNAT.27  | Payment in lieu of reinstatement |
| 71 | UNDP           | 2021 | Songa Kilauri | UNDT/2021/107 | Unlawful Termination | 41. The contested decision is rescinded; 42. The Respondent may elect to pay the Applicant compensation in the amount of the net-based salary for the remainder of his fixed-term appointment, minus the one-month salary and the termination indemnity already paid to the Applicant in lieu of the rescission;   | Payment in lieu of reinstatement |
| 72 | WMO            | 2022 | Rolli         | UNDT/2022/025 | Unlawful Termination | 68. In light of the foregoing, the Tribunal DECIDES that: a. The contested decision is rescinded; b. As in lieu compensation under art. 10.5(a) of the Dispute Tribunal's Statute, the Applicant shall be awarded the following: Full salary, including net-base salary and post adjustment, with regular deductions from 10 May 2018 to 31 August 2019; Pension contributions to be restored retroactively from 10 May 2018 to 31 August 2019; Right to education allowances to be restored from 10 May 2018 to 31 August 2019; The aggregated compensation amount is not to exceed two years' net base salary of the Applicant.              | Payment in lieu of reinstatement |
| 73 | UNICEF         | 2022 | Van Der Graaf | UNDT/2022/037 | Unlawful Termination | 166. In view of the foregoing, the Tribunal DECIDES: a. The contested decision is hereby rescinded and replaced with a measure of demotion by one level with two years deferment of eligibility for consideration for promotion; b. The Applicant is to be reinstated, with all his benefits and entitlement, included the education grant, from the date of separation, but at a level one below; c. Should the Respondent elect to pay financial compensation instead of effectively rescinding the decision, the Applicant shall be paid a sum equivalent to two years' net base salary, based on his salary at the time of his separation; | Payment in lieu of reinstatement |

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| 74 | UNHCR          | 2022 | Saleh           | UNDT/2022/064 | Unlawful Termination | 80. In light of the foregoing, the Tribunal DECIDES that: a. The contested decision is rescinded; b. As in lieu compensation under art. 10.5(a) of the Dispute Tribunal's Statute, the Applicant shall be awarded the full salary, including all related benefits and entitlements, he would have obtained until 31 December 2020 had his fixed-term appointment not been terminated;   | Payment in lieu of reinstatement |
| 76 | UN Secretariat | 2022 | Scheibner Mesas | UNDT/2022/109 | Unlawful Termination | 77. In light of the foregoing, the Tribunal decides: a. The challenged decision is rescinded. b. The Applicant must be placed in a position - among those he applied to - of the same level to that one he had at the time of the abolition of the post; c. The Respondent is to pay to the Applicant the difference between the wage at P-5 level step10 and that one, if any, paid from the moment of termination to the moment of execution of the previous line's order; d. The Respondent is to pay to the Applicant the compensation in lieu at 18 months' net-base salary at the P-5, step X level as per the salary scale in effect at the time of the Applicant's separation from service; | Payment in lieu of reinstatement |