



TABLE OF CONTENTS

I..... 3

B..... 4

F..... 5

 15 August 2013 report of the ACABQ (A/68/7)..... 5

 General Assembly resolution 68/246..... 6

 Note of 30 December 2013 6

 Secretary-General’s approval of termination of appointments..... 8

 Termination letter of 31 December 2013 8

 Request for management evaluation 9

 24 February 2014 email 9

 26 February 2014 contract extension..... 10

 Filing of an application before the Tribunal 10

 Subsequent job search 10

 Termination of permanent appointment 11

A..... 11

R..... 12

A..... 15

 Applicable law on termination of permanent appointments..... 15

 International standards on retrenchment and retention 17

C..... 20

 Receivability 20

 Overview of relevant case law..... 21

Chen 21

Chen 27

Chen 29

 Legal status of “permanent staff” 30

 Alleged breach of General Assembly resolution 54/249 32

 Authority to terminate the Applicant’s contract 35

 Compliance with the requirements of staff rule 13.1 37

 Relief..... 41

D..... 44

4. ~~Detail~~ ~~1665~~

8. ~~Final~~ ~~order~~

~~HR~~ ~~order~~ ~~final~~

~~HR~~

9. On 15 April 2016, ~~the~~ ~~order~~

~~order~~

Facts

Employment with the Organization

10. ~~From~~ ~~1994~~ ~~to~~ ~~2009~~

~~1994~~ ~~2009~~

20 ~~April~~ ~~2009~~

30 ~~June~~ ~~2009~~.

11. ~~From~~ ~~2014~~ ~~to~~ ~~2015~~

20 ~~April~~ ~~2014~~ ~~to~~ ~~2015~~

~~April~~ ~~2015~~.

15 August 2013 report of the ACABQ (A/68/7)

12. On 15 August 2013, ~~the~~ ~~ACABQ~~

~~ACABQ~~ (ACABQ) ~~in~~ ~~its~~ ~~report~~ ~~A/68/7~~ (Final

~~report~~ ~~A/68/7~~ (Final

~~report~~ ~~A/68/7~~ (Final

13. At paragraph I.107, ~~the~~ ~~ACABQ~~

~~ACABQ~~ ~~concluded~~

~~that~~ ~~the~~ ~~ACABQ~~ ~~is~~ ~~not~~

~~an~~ ~~independent~~ ~~and~~ ~~impartial~~ ~~body~~ ~~as~~ ~~required~~ ~~by~~ ~~the~~ ~~HR~~ ~~mandate~~

~~that~~

Abolishments

I.106 A b 699 pap 6 m

u4 Gh 8 (P), 56 Gh

8 (D) d 39

d d C a p a

H d d, s v

...

(c h 639 d C a p

d22 Gh 8

v s i R

d

h h D h h h p 6

h h h p . .

...

I.107 F A y C h i s o h p

p r o p h e t d s h h

h i n g h h p

h o f f h p

d h e p I n

h h v

s

(d A h 1) 468/246 m

1. ~~1.1~~ ~~1.2~~

5. A ~~1.1~~ ~~1.2~~ ~~1.3~~ ~~1.4~~ ~~1.5~~ ~~1.6~~ ~~1.7~~ ~~1.8~~ ~~1.9~~ ~~1.10~~ ~~1.11~~ ~~1.12~~ ~~1.13~~ ~~1.14~~ ~~1.15~~ ~~1.16~~ ~~1.17~~ ~~1.18~~ ~~1.19~~ ~~1.20~~ ~~1.21~~ ~~1.22~~ ~~1.23~~ ~~1.24~~ ~~1.25~~ ~~1.26~~ ~~1.27~~ ~~1.28~~ ~~1.29~~ ~~1.30~~ ~~1.31~~ ~~1.32~~ ~~1.33~~ ~~1.34~~ ~~1.35~~ ~~1.36~~ ~~1.37~~ ~~1.38~~ ~~1.39~~ ~~1.40~~ ~~1.41~~ ~~1.42~~ ~~1.43~~ ~~1.44~~ ~~1.45~~ ~~1.46~~ ~~1.47~~ ~~1.48~~ ~~1.49~~ ~~1.50~~ ~~1.51~~ ~~1.52~~ ~~1.53~~ ~~1.54~~ ~~1.55~~ ~~1.56~~ ~~1.57~~ ~~1.58~~ ~~1.59~~ ~~1.60~~ ~~1.61~~ ~~1.62~~ ~~1.63~~ ~~1.64~~ ~~1.65~~ ~~1.66~~ ~~1.67~~ ~~1.68~~ ~~1.69~~ ~~1.70~~ ~~1.71~~ ~~1.72~~ ~~1.73~~ ~~1.74~~ ~~1.75~~ ~~1.76~~ ~~1.77~~ ~~1.78~~ ~~1.79~~ ~~1.80~~ ~~1.81~~ ~~1.82~~ ~~1.83~~ ~~1.84~~ ~~1.85~~ ~~1.86~~ ~~1.87~~ ~~1.88~~ ~~1.89~~ ~~1.90~~ ~~1.91~~ ~~1.92~~ ~~1.93~~ ~~1.94~~ ~~1.95~~ ~~1.96~~ ~~1.97~~ ~~1.98~~ ~~1.99~~ ~~2.00~~ ~~2.01~~ ~~2.02~~ ~~2.03~~ ~~2.04~~ ~~2.05~~ ~~2.06~~ ~~2.07~~ ~~2.08~~ ~~2.09~~ ~~2.10~~ ~~2.11~~ ~~2.12~~ ~~2.13~~ ~~2.14~~ ~~2.15~~ ~~2.16~~ ~~2.17~~ ~~2.18~~ ~~2.19~~ ~~2.20~~ ~~2.21~~ ~~2.22~~ ~~2.23~~ ~~2.24~~ ~~2.25~~ ~~2.26~~ ~~2.27~~ ~~2.28~~ ~~2.29~~ ~~2.30~~ ~~2.31~~ ~~2.32~~ ~~2.33~~ ~~2.34~~ ~~2.35~~ ~~2.36~~ ~~2.37~~ ~~2.38~~ ~~2.39~~ ~~2.40~~ ~~2.41~~ ~~2.42~~ ~~2.43~~ ~~2.44~~ ~~2.45~~ ~~2.46~~ ~~2.47~~ ~~2.48~~ ~~2.49~~ ~~2.50~~ ~~2.51~~ ~~2.52~~ ~~2.53~~ ~~2.54~~ ~~2.55~~ ~~2.56~~ ~~2.57~~ ~~2.58~~ ~~2.59~~ ~~2.60~~ ~~2.61~~ ~~2.62~~ ~~2.63~~ ~~2.64~~ ~~2.65~~ ~~2.66~~ ~~2.67~~ ~~2.68~~ ~~2.69~~ ~~2.70~~ ~~2.71~~ ~~2.72~~ ~~2.73~~ ~~2.74~~ ~~2.75~~ ~~2.76~~ ~~2.77~~ ~~2.78~~ ~~2.79~~ ~~2.80~~ ~~2.81~~ ~~2.82~~ ~~2.83~~ ~~2.84~~ ~~2.85~~ ~~2.86~~ ~~2.87~~ ~~2.88~~ ~~2.89~~ ~~2.90~~ ~~2.91~~ ~~2.92~~ ~~2.93~~ ~~2.94~~ ~~2.95~~ ~~2.96~~ ~~2.97~~ ~~2.98~~ ~~2.99~~ ~~3.00~~ ~~3.01~~ ~~3.02~~ ~~3.03~~ ~~3.04~~ ~~3.05~~ ~~3.06~~ ~~3.07~~ ~~3.08~~ ~~3.09~~ ~~3.10~~ ~~3.11~~ ~~3.12~~ ~~3.13~~ ~~3.14~~ ~~3.15~~ ~~3.16~~ ~~3.17~~ ~~3.18~~ ~~3.19~~ ~~3.20~~ ~~3.21~~ ~~3.22~~ ~~3.23~~ ~~3.24~~ ~~3.25~~ ~~3.26~~ ~~3.27~~ ~~3.28~~ ~~3.29~~ ~~3.30~~ ~~3.31~~ ~~3.32~~ ~~3.33~~ ~~3.34~~ ~~3.35~~ ~~3.36~~ ~~3.37~~ ~~3.38~~ ~~3.39~~ ~~3.40~~ ~~3.41~~ ~~3.42~~ ~~3.43~~ ~~3.44~~ ~~3.45~~ ~~3.46~~ ~~3.47~~ ~~3.48~~ ~~3.49~~ ~~3.50~~ ~~3.51~~ ~~3.52~~ ~~3.53~~ ~~3.54~~ ~~3.55~~ ~~3.56~~ ~~3.57~~ ~~3.58~~ ~~3.59~~ ~~3.60~~ ~~3.61~~ ~~3.62~~ ~~3.63~~ ~~3.64~~ ~~3.65~~ ~~3.66~~ ~~3.67~~ ~~3.68~~ ~~3.69~~ ~~3.70~~ ~~3.71~~ ~~3.72~~ ~~3.73~~ ~~3.74~~ ~~3.75~~ ~~3.76~~ ~~3.77~~ ~~3.78~~ ~~3.79~~ ~~3.80~~ ~~3.81~~ ~~3.82~~ ~~3.83~~ ~~3.84~~ ~~3.85~~ ~~3.86~~ ~~3.87~~ ~~3.88~~ ~~3.89~~ ~~3.90~~ ~~3.91~~ ~~3.92~~ ~~3.93~~ ~~3.94~~ ~~3.95~~ ~~3.96~~ ~~3.97~~ ~~3.98~~ ~~3.99~~ ~~4.00~~ ~~4.01~~ ~~4.02~~ ~~4.03~~ ~~4.04~~ ~~4.05~~ ~~4.06~~ ~~4.07~~ ~~4.08~~ ~~4.09~~ ~~4.10~~ ~~4.11~~ ~~4.12~~ ~~4.13~~ ~~4.14~~ ~~4.15~~ ~~4.16~~ ~~4.17~~ ~~4.18~~ ~~4.19~~ ~~4.20~~ ~~4.21~~ ~~4.22~~ ~~4.23~~ ~~4.24~~ ~~4.25~~ ~~4.26~~ ~~4.27~~ ~~4.28~~ ~~4.29~~ ~~4.30~~ ~~4.31~~ ~~4.32~~ ~~4.33~~ ~~4.34~~ ~~4.35~~ ~~4.36~~ ~~4.37~~ ~~4.38~~ ~~4.39~~ ~~4.40~~ ~~4.41~~ ~~4.42~~ ~~4.43~~ ~~4.44~~ ~~4.45~~ ~~4.46~~ ~~4.47~~ ~~4.48~~ ~~4.49~~ ~~4.50~~ ~~4.51~~ ~~4.52~~ ~~4.53~~ ~~4.54~~ ~~4.55~~ ~~4.56~~ ~~4.57~~ ~~4.58~~ ~~4.59~~ ~~4.60~~ ~~4.61~~ ~~4.62~~ ~~4.63~~ ~~4.64~~ ~~4.65~~ ~~4.66~~ ~~4.67~~ ~~4.68~~ ~~4.69~~ ~~4.70~~ ~~4.71~~ ~~4.72~~ ~~4.73~~ ~~4.74~~ ~~4.75~~ ~~4.76~~ ~~4.77~~ ~~4.78~~ ~~4.79~~ ~~4.80~~ ~~4.81~~ ~~4.82~~ ~~4.83~~ ~~4.84~~ ~~4.85~~ ~~4.86~~ ~~4.87~~ ~~4.88~~ ~~4.89~~ ~~4.90~~ ~~4.91~~ ~~4.92~~ ~~4.93~~ ~~4.94~~ ~~4.95~~ ~~4.96~~ ~~4.97~~ ~~4.98~~ ~~4.99~~ ~~5.00~~ ~~5.01~~ ~~5.02~~ ~~5.03~~ ~~5.04~~ ~~5.05~~ ~~5.06~~ ~~5.07~~ ~~5.08~~ ~~5.09~~ ~~5.10~~ ~~5.11~~ ~~5.12~~ ~~5.13~~ ~~5.14~~ ~~5.15~~ ~~5.16~~ ~~5.17~~ ~~5.18~~ ~~5.19~~ ~~5.20~~ ~~5.21~~ ~~5.22~~ ~~5.23~~ ~~5.24~~ ~~5.25~~ ~~5.26~~ ~~5.27~~ ~~5.28~~ ~~5.29~~ ~~5.30~~ ~~5.31~~ ~~5.32~~ ~~5.33~~ ~~5.34~~ ~~5.35~~ ~~5.36~~ ~~5.37~~ ~~5.38~~ ~~5.39~~ ~~5.40~~ ~~5.41~~ ~~5.42~~ ~~5.43~~ ~~5.44~~ ~~5.45~~ ~~5.46~~ ~~5.47~~ ~~5.48~~ ~~5.49~~ ~~5.50~~ ~~5.51~~ ~~5.52~~ ~~5.53~~ ~~5.54~~ ~~5.55~~ ~~5.56~~ ~~5.57~~ ~~5.58~~ ~~5.59~~ ~~5.60~~ ~~5.61~~ ~~5.62~~ ~~5.63~~ ~~5.64~~ ~~5.65~~ ~~5.66~~ ~~5.67~~ ~~5.68~~ ~~5.69~~ ~~5.70~~ ~~5.71~~ ~~5.72~~ ~~5.73~~ ~~5.74~~ ~~5.75~~ ~~5.76~~ ~~5.77~~ ~~5.78~~ ~~5.79~~ ~~5.80~~ ~~5.81~~ ~~5.82~~ ~~5.83~~ ~~5.84~~ ~~5.85~~ ~~5.86~~ ~~5.87~~ ~~5.88~~ ~~5.89~~ ~~5.90~~ ~~5.91~~ ~~5.92~~ ~~5.93~~ ~~5.94~~ ~~5.95~~ ~~5.96~~ ~~5.97~~ ~~5.98~~ ~~5.99~~ ~~6.00~~ ~~6.01~~ ~~6.02~~ ~~6.03~~ ~~6.04~~ ~~6.05~~ ~~6.06~~ ~~6.07~~ ~~6.08~~ ~~6.09~~ ~~6.10~~ ~~6.11~~ ~~6.12~~ ~~6.13~~ ~~6.14~~ ~~6.15~~ ~~6.16~~ ~~6.17~~ ~~6.18~~ ~~6.19~~ ~~6.20~~ ~~6.21~~ ~~6.22~~ ~~6.23~~ ~~6.24~~ ~~6.25~~ ~~6.26~~ ~~6.27~~ ~~6.28~~ ~~6.29~~ ~~6.30~~ ~~6.31~~ ~~6.32~~ ~~6.33~~ ~~6.34~~ ~~6.35~~ ~~6.36~~ ~~6.37~~ ~~6.38~~ ~~6.39~~ ~~6.40~~ ~~6.41~~ ~~6.42~~ ~~6.43~~ ~~6.44~~ ~~6.45~~ ~~6.46~~ ~~6.47~~ ~~6.48~~ ~~6.49~~ ~~6.50~~ ~~6.51~~ ~~6.52~~ ~~6.53~~ ~~6.54~~ ~~6.55~~ ~~6.56~~ ~~6.57~~ ~~6.58~~ ~~6.59~~ ~~6.60~~ ~~6.61~~ ~~6.62~~ ~~6.63~~ ~~6.64~~ ~~6.65~~ ~~6.66~~ ~~6.67~~ ~~6.68~~ ~~6.69~~ ~~6.70~~ ~~6.71~~ ~~6.72~~ ~~6.73~~ ~~6.74~~ ~~6.75~~ ~~6.76~~ ~~6.77~~ ~~6.78~~ ~~6.79~~ ~~6.80~~ ~~6.81~~ ~~6.82~~ ~~6.83~~ ~~6.84~~ ~~6.85~~ ~~6.86~~ ~~6.87~~ ~~6.88~~ ~~6.89~~ ~~6.90~~ ~~6.91~~ ~~6.92~~ ~~6.93~~ ~~6.94~~ ~~6.95~~ ~~6.96~~ ~~6.97~~ ~~6.98~~ ~~6.99~~ ~~7.00~~ ~~7.01~~ ~~7.02~~ ~~7.03~~ ~~7.04~~ ~~7.05~~ ~~7.06~~ ~~7.07~~ ~~7.08~~ ~~7.09~~ ~~7.10~~ ~~7.11~~ ~~7.12~~ ~~7.13~~ ~~7.14~~ ~~7.15~~ ~~7.16~~ ~~7.17~~ ~~7.18~~ ~~7.19~~ ~~7.20~~ ~~7.21~~ ~~7.22~~ ~~7.23~~ ~~7.24~~ ~~7.25~~ ~~7.26~~ ~~7.27~~ ~~7.28~~ ~~7.29~~ ~~7.30~~ ~~7.31~~ ~~7.32~~ ~~7.33~~ ~~7.34~~ ~~7.35~~ ~~7.36~~ ~~7.37~~ ~~7.38~~ ~~7.39~~ ~~7.40~~ ~~7.41~~ ~~7.42~~ ~~7.43~~ ~~7.44~~ ~~7.45~~ ~~7.46~~ ~~7.47~~ ~~7.48~~ ~~7.49~~ ~~7.50~~ ~~7.51~~ ~~7.52~~ ~~7.53~~ ~~7.54~~ ~~7.55~~ ~~7.56~~ ~~7.57~~ ~~7.58~~ ~~7.59~~ ~~7.60~~ ~~7.61~~ ~~7.62~~ ~~7.63~~ ~~7.64~~ ~~7.65~~ ~~7.66~~ ~~7.67~~ ~~7.68~~ ~~7.69~~ ~~7.70~~ ~~7.71~~ ~~7.72~~ ~~7.73~~ ~~7.74~~ ~~7.75~~ ~~7.76~~ ~~7.77~~ ~~7.78~~ ~~7.79~~ ~~7.80~~ ~~7.81~~ ~~7.82~~ ~~7.83~~ ~~7.84~~ ~~7.85~~ ~~7.86~~ ~~7.87~~ ~~7.88~~ ~~7.89~~ ~~7.90~~ ~~7.91~~ ~~7.92~~ ~~7.93~~ ~~7.94~~ ~~7.95~~ ~~7.96~~ ~~7.97~~ ~~7.98~~ ~~7.99~~ ~~8.00~~ ~~8.01~~ ~~8.02~~ ~~8.03~~ ~~8.04~~ ~~8.05~~ ~~8.06~~ ~~8.07~~ ~~8.08~~ ~~8.09~~ ~~8.10~~ ~~8.11~~ ~~8.12~~ ~~8.13~~ ~~8.14~~ ~~8.15~~ ~~8.16~~ ~~8.17~~ ~~8.18~~ ~~8.19~~ ~~8.20~~ ~~8.21~~ ~~8.22~~ ~~8.23~~ ~~8.24~~ ~~8.25~~ ~~8.26~~ ~~8.27~~ ~~8.28~~ ~~8.29~~ ~~8.30~~ ~~8.31~~ ~~8.32~~ ~~8.33~~ ~~8.34~~ ~~8.35~~ ~~8.36~~ ~~8.37~~ ~~8.38~~ ~~8.39~~ ~~8.40~~ ~~8.41~~ ~~8.42~~ ~~8.43~~ ~~8.44~~ ~~8.45~~ ~~8.46~~ ~~8.47~~ ~~8.48~~ ~~8.49~~ ~~8.50~~ ~~8.51~~ ~~8.52~~ ~~8.53~~ ~~8.54~~ ~~8.55~~ ~~8.56~~ ~~8.57~~ ~~8.58~~ ~~8.59~~ ~~8.60~~ ~~8.61~~ ~~8.62~~ ~~8.63~~ ~~8.64~~ ~~8.65~~ ~~8.66~~ ~~8.67~~ ~~8.68~~ ~~8.69~~ ~~8.70~~ ~~8.71~~ ~~8.72~~ ~~8.73~~ ~~8.74~~ ~~8.75~~ ~~8.76~~ ~~8.77~~ ~~8.78~~ ~~8.79~~ ~~8.80~~ ~~8.81~~ ~~8.82~~ ~~8.83~~ ~~8.84~~ ~~8.85~~ ~~8.86~~ ~~8.87~~ ~~8.88~~ ~~8.89~~ ~~8.90~~ ~~8.91~~ ~~8.92~~ ~~8.93~~ ~~8.94~~ ~~8.95~~ ~~8.96~~ ~~8.97~~ ~~8.98~~ ~~8.99~~ ~~9.00~~ ~~9.01~~ ~~9.02~~ ~~9.03~~ ~~9.04~~ ~~9.05~~ ~~9.06~~ ~~9.07~~ ~~9.08~~ ~~9.09~~ ~~9.10~~ ~~9.11~~ ~~9.12~~ ~~9.13~~ ~~9.14~~ ~~9.15~~ ~~9.16~~ ~~9.17~~ ~~9.18~~ ~~9.19~~ ~~9.20~~ ~~9.21~~ ~~9.22~~ ~~9.23~~ ~~9.24~~ ~~9.25~~ ~~9.26~~ ~~9.27~~ ~~9.28~~ ~~9.29~~ ~~9.30~~ ~~9.31~~ ~~9.32~~ ~~9.33~~ ~~9.34~~ ~~9.35~~ ~~9.36~~ ~~9.37~~ ~~9.38~~ ~~9.39~~ ~~9.40~~ ~~9.41~~ ~~9.42~~ ~~9.43~~ ~~9.44~~ ~~9.45~~ ~~9.46~~ ~~9.47~~ ~~9.48~~ ~~9.49~~ ~~9.50~~ ~~9.51~~ ~~9.52~~ ~~9.53~~ ~~9.54~~ ~~9.55~~ ~~9.56~~ ~~9.57~~ ~~9.58~~ ~~9.59~~ ~~9.60~~ ~~9.61~~ ~~9.62~~ ~~9.63~~ ~~9.64~~ ~~9.65~~ ~~9.66~~ ~~9.67~~ ~~9.68~~ ~~9.69~~ ~~9.70~~ ~~9.71~~ ~~9.72~~ ~~9.73~~ ~~9.74~~ ~~9.75~~ ~~9.76~~ ~~9.77~~ ~~9.78~~ ~~9.79~~ ~~9.80~~ ~~9.81~~ ~~9.82~~ ~~9.83~~ ~~9.84~~ ~~9.85~~ ~~9.86~~ ~~9.87~~ ~~9.88~~ ~~9.89~~ ~~9.90~~ ~~9.91~~ ~~9.92~~ ~~9.93~~ ~~9.94~~ ~~9.95~~ ~~9.96~~ ~~9.97~~ ~~9.98~~ ~~9.99~~ ~~10.00~~ ~~10.01~~ ~~10.02~~ ~~10.03~~ ~~10.04~~ ~~10.05~~ ~~10.06~~ ~~10.07~~ ~~10.08~~ ~~10.09~~ ~~10.10~~ ~~10.11~~ ~~10.12~~ ~~10.13~~ ~~10.14~~ ~~10.15~~ ~~10.16~~ ~~10.17~~ ~~10.18~~ ~~10.19~~ ~~10.20~~ ~~10.21~~ ~~10.22~~ ~~10.23~~ ~~10.24~~ ~~10.25~~ ~~10.26~~ ~~10.27~~ ~~10.28~~ ~~10.29~~ ~~10.30~~ ~~10.31~~ ~~10.32~~ ~~10.33~~ ~~10.34~~ ~~10.35~~ ~~10.36~~ ~~10.37~~ ~~10.38~~ ~~10.39~~ ~~10.40~~ ~~10.41~~ ~~10.42~~ ~~10.43~~ ~~10.44~~ ~~10.45~~ ~~10.46~~ ~~10.47~~ ~~10.48~~ ~~10.49~~ ~~10.50~~ ~~10.51~~ ~~10.52~~ ~~10.53~~ ~~10.54~~ ~~10.55~~ ~~10.56~~ ~~10.57~~ ~~10.58~~ ~~10.59~~ ~~10.60~~ ~~10.61~~ ~~10.62~~ ~~10.63~~ ~~10.64~~ ~~10.65~~ ~~10.66~~ ~~10.67~~ ~~10.68~~ ~~10.69~~ ~~10.70~~ ~~10.71~~ ~~10.72~~ ~~10.73~~ ~~10.74~~ ~~10.75~~ ~~10.76~~ ~~10.77~~ ~~10.78~~ ~~10.79~~ ~~10.80~~ ~~10.81~~ ~~10.82~~ ~~10.83~~ ~~10.84~~ ~~10.85~~ ~~10.86~~ ~~10.87~~ ~~10.88~~ ~~10.89~~ ~~10.90~~ ~~10.91~~ ~~10.92~~ ~~10.93~~ ~~10.94~~ ~~10.95~~ ~~10.96~~ ~~10.97~~ ~~10.98~~ ~~10.99~~ ~~11.00~~ ~~11.01~~ ~~11.02~~ ~~11.03~~ ~~11.04~~ ~~11.05~~ ~~11.06~~ ~~11.07~~ ~~11.08~~ ~~11.09~~ ~~11.10~~ ~~11.11~~ ~~11.12~~ ~~11.13~~ ~~11.14~~ ~~11.15~~ ~~11.16~~ ~~11.17~~ ~~11.18~~ ~~11.19~~ ~~11.20~~ ~~11.21~~ ~~11.22~~ ~~11.23~~ ~~11.24~~ ~~11.25~~ ~~11.26~~ ~~11.27~~ ~~11.28~~ ~~11.29~~ ~~11.30~~ ~~11.31~~ ~~11.32~~ ~~11.33~~ ~~11.34~~ ~~11.35~~ ~~11.36~~ ~~11.37~~ ~~11.38~~ ~~11.39~~ ~~11.40~~ ~~11.41~~ ~~11.42~~ ~~11.43~~ ~~11.44~~ ~~11.45~~ ~~11.46~~ ~~11.47~~ ~~11.48~~ ~~11.49~~ ~~11.50~~ ~~11.51~~ ~~11.52~~ ~~11.53~~ ~~11.54~~ ~~11.55~~ ~~11.56~~ ~~11.57~~ ~~11.58~~ ~~11.59~~ ~~11.60~~ ~~11.61~~ ~~11.62~~ ~~11.63~~ ~~11.64~~ ~~11.65~~ ~~11.66~~ ~~11.67~~ ~~11.68~~ ~~11.69~~ ~~11.70~~ ~~11.71~~ ~~11.72~~ ~~11.73~~ ~~11.74~~ ~~11.75~~ ~~11.76~~ ~~11.77~~ ~~11.78~~ ~~11.79~~ ~~11.80~~ ~~11.81~~ ~~11.82~~ ~~11.83~~ ~~11.84~~ ~~11.85~~ ~~11.86~~ ~~11.87~~ ~~11.88~~ ~~11.89~~ ~~11.90~~ ~~11.91~~ ~~11.92~~ ~~11.93~~ ~~11.94~~ ~~11.95~~ ~~11.96~~ ~~11.97~~ ~~11.98~~ ~~11.99~~ ~~12.00~~ ~~12.01~~ ~~12.02~~ ~~12.03~~ ~~12.04~~ ~~12.05~~ ~~12.06~~ ~~12.07~~ ~~12.08~~ ~~12.09~~ ~~12.10~~ ~~12.11~~ ~~12.12~~ ~~12.13~~ ~~12.14~~ ~~12.15~~ ~~12.16~~ ~~12.17~~ ~~12.18~~ ~~12.19~~ ~~12.20~~ ~~12.21~~ ~~12.22~~ ~~12.23~~ ~~12.24~~ ~~12.25~~ ~~12.26~~ ~~12.27~~ ~~12.28~~ ~~12.29~~ ~~12.30~~ ~~12.31~~ ~~12.32~~ ~~12.33~~ ~~12.34~~ ~~12.35~~ ~~12.36~~ ~~12.37~~ ~~12.38~~ ~~12.39~~ ~~12.40~~ ~~12.41~~ ~~12.42~~ ~~12.43~~ ~~12.44~~ ~~12.45~~ ~~12.46~~ ~~12.47~~ ~~12.48~~ ~~12.49~~ ~~12.50~~ ~~12.51~~ ~~12.52~~ ~~12.53~~ ~~12.54~~ ~~12.55~~ ~~12.56~~ ~~12.57~~ ~~12.58~~ ~~12.59~~ ~~12.60~~ ~~12.61~~ ~~12.62~~ ~~12.63~~ ~~12.64~~ ~~12.65~~ ~~12.66~~ ~~12.67~~ ~~12.68~~ ~~12.69~~ ~~12.70~~ ~~12.71~~ ~~12.72~~ ~~12.73~~ ~~12.74~~ ~~12.75~~ ~~12.76~~ ~~12.77~~ ~~12.78~~ ~~12.79~~ ~~12.80~~ ~~12.81~~ ~~12.82~~ ~~12.83~~ ~~12.84~~ ~~12.85~~ ~~12.86~~ ~~12.87~~ ~~12.88~~ ~~12.89~~ ~~12.90~~ ~~12.91~~ ~~12.92</~~

ak kaly
at ch
lgy

at ch DGACM E

h

bA p p m

d o b 6 p 8

On 31 December 2013, the

Director General of the

Ministry of

the

of the

of the

of the

of the

of the

In 2013, DGACM and the

of the

g **FAphndy p d b**

sh h h w t a

f d d i n

hsh

ipn

h **FAp d n**

DGACM n2014 **ed**

g a p d p n e p In

h h g p h b h s

GhMy2013, ap

h DGACM p h

p b h f d b

d t o n e l w

hsh d

hsh

hsh h p g

n o b p e l g

hsh hsh hsh In d w

hsh g n e n

hsh o p b

hsh d

hsh p n

hsh

Applicable law

Applicable law on termination of permanent appointments

26. **hsh.2(c) p**

General rights and obligations

(c) **hsh p**

hsh p

hsh hsh hsh

hsh hsh hsh In d w

hsh hsh

hsh o n g

g t o h h h h g d

g t o h h h h g d

hsh

27. ~~9.3(a) a~~

Regulation 9.3

(a) ~~REG~~ ~~rights~~
~~to~~ ~~of~~ ~~the~~ ~~state~~ ~~and~~ ~~local~~ ~~governments~~
~~to~~ ~~the~~ ~~state~~ ~~and~~ ~~local~~ ~~governments~~
~~to~~ ~~the~~ ~~state~~ ~~and~~ ~~local~~ ~~governments~~
~~to~~ ~~the~~ ~~state~~ ~~and~~ ~~local~~ ~~governments~~

(i) If ~~h a b c d~~
~~h i j k l~~

28. ~~9.6 a~~

Rule 9.6

Termination

Definitions

(a) A ~~h i j k l~~

CaNoND/TN/2014/086

JiNoND/2016/195

Overview of relevant case law

Case No	Date	Case Name
38. Asyiah bin Apin	NA/2016/026	Masri 2016-
p o h o a m e	h i H o h i a	h r
h h D p h	ND/2010/004	Dumornay
(NICEF),	3034	h h p h w a p h h o
h h h h h h h h	NICEF	39. In Dumornay
Dumornay	ND/2010/004,	21
h h h h h h h h	h h h h h h h h	h h h h h h h h
h h h h h h h h	ND/2009/083	h h h h h h h h
h h h h h h h h	h h h h h h h h	h h h h h h h h

iddid nonhshano

iv

48. In *El-Kholy* ND/2016/102 (gr gNDP p
dp bh pation inbh
slahhig nqsh
psh

52. It is h fr n e 9.6(a), (c) d (e) h
naahhh6apsiv hSR bath
pshp hshh
hnapnIt s f h 13.1(d) h h s
h d g lva nqsh
qsh Ash nqsh
shps fshsh
sh Ash ad nqsh
hshpsh nqsh
shshR u shsh
shsh

3.1(1)
 3.1(1)
 3.1(1)

FrNoAd in

51. In JgNo 85, *Carson* (1962) (3.1(1))
 (NICEF), hNA 761 hgf
 3.1(1)
 3.1(1) NA 761 hgf
 3.1(1) hR 3.1(1)
 3.1(1) hA 3.1(1) 3.1(1)
 3.1(1)

52. hNA 761 hgf
 In JgNo 679, *Fagan* (1994)
 (NICEF), hNA 761
 p XI hgf 3.1(1) h
 hR 3.1(1)
 h 3.1(1) h
 h 3.1(1) h
 hNA 761 h 3.1(1)
 h 3.1(1) h
 h 3.1(1) h

AmIn HLH

56. In *El-Kholy* ND/2016/102, hDpIn

AmIn

HLH

HLH

HLH

57. In No1782 (1998), p11, HLH

HLH 110.02(a 6

DpIn

HLH

HLH

HLH

HLH

HLH

HLH

HLH

HLH

HLH In

HLH 46:

CaNoND/TN/2014/086

JiNoND/2016/195

63. ~~by the~~ ~~General Assembly~~
~~of the~~ ~~United Nations~~
~~High Commissioner~~
~~for Human Rights~~
~~in~~ ~~his~~ ~~report~~
~~to the~~ ~~General Assembly~~ (NATJn No 29,
(1953)). ~~United Nations~~
~~High Commissioner~~
~~for Human Rights~~
(NATJn No 85, *Carson* (1962)).

Gordon

Alleged breach of General Assembly resolution 54/249

64. ~~the~~ ~~General Assembly~~
~~of the~~ ~~United Nations~~
~~High Commissioner~~
~~for Human Rights~~
23 Dec 1999.

A/54/249 (Q
r 2000-2001), p 6

65. ~~the~~ ~~General Assembly~~/ 249 (p 23 Dec 1999)
~~of the~~ ~~United Nations~~

The General Assembly,

...

59. *Requests* ~~the~~ ~~General Assembly~~ ~~to~~ ~~the~~
~~United Nations~~ ~~High Commissioner~~
~~for Human Rights~~ ~~in~~ ~~his~~ ~~report~~
~~to the~~ ~~General Assembly~~ (A/56/2002-2003
~~of the~~ ~~United Nations~~)

60. *Welcomes* ~~the~~ ~~General Assembly~~
~~of the~~ ~~United Nations~~ ~~High Commissioner~~
~~for Human Rights~~ ~~in~~ ~~his~~ ~~report~~
~~to the~~ ~~General Assembly~~

...

27 Dec 2013, 6h06

71. ~~Applicant~~ ~~has not~~ ~~been~~
A54/249.

Authority to terminate the Applicant's contract

72. ~~Applicant~~
to ~~be~~ ~~terminated~~ ~~under~~ ~~the~~ ~~provisions~~ ~~of~~ ~~the~~ ~~Contract~~
13.3(a) ~~and~~ ~~13.6. Hold~~ ~~ing~~ ~~the~~ ~~Contract~~ ~~under~~ ~~13.1(a), iv~~
~~of~~

(a) ~~Applicant~~
on 30 Jan 2009 ~~was~~
13.3(
~~terminated~~
on 1 July 2009, ~~under~~
~~the~~ ~~provisions~~ ~~of~~ ~~the~~ ~~Contract~~
~~under~~ ~~13.1(a), iv~~ ~~of~~

73. In ~~the~~ ~~Contract~~
~~under~~ ~~the~~ ~~provisions~~ ~~of~~ ~~the~~ ~~Contract~~
~~under~~

15. ~~Applicant~~
on 30 Jan 2009 ~~was~~
~~terminated~~
~~under~~ ~~the~~ ~~provisions~~ ~~of~~ ~~the~~ ~~Contract~~
~~under~~ ~~13.3~~ ~~and~~ ~~13.6. Hold~~ ~~ing~~ ~~the~~ ~~Contract~~ ~~under~~ ~~13.1(a), iv~~
~~of~~

17. ~~Applicant~~ ~~has~~ ~~not~~ ~~been~~ ~~terminated~~
on 30 Jan 2009 ~~was~~
~~terminated~~
~~under~~ ~~the~~ ~~provisions~~ ~~of~~ ~~the~~ ~~Contract~~
~~under~~ ~~13.1(a), iv~~ ~~of~~ ~~the~~ ~~Contract~~
~~under~~ ~~the~~ ~~provisions~~ ~~of~~ ~~the~~ ~~Contract~~

Compliance with the requirements of staff rule 13.1

79. ~~At the~~ ~~the~~
~~of the~~
 App a p m e n ~~in F Ap nh~~
 h A p h ~~h p h~~
 d h b ~~ch Ap~~ ~~u p~~
 h p h 13.1 (d) ~~h p h n~~
 h p h n

80. It s e h i s g n ~~h p h n~~
 h p h n ~~h p h n~~
 i s n d i s b e l w N d p n

file 11 6

SAI/2010/3, hpn

hpf flya

h6p h m

h p h n

h e h Mr Nā

hnhw n

h h p h w

hA p h h s

daa h h g

h h y h

h h h p n

h n o h h h h h p

h h h a h g

r o h h h p h h h p

h p h h v

h h h g

85. It is h h h A h a p h h m

h h p w h

h 6 h

h 13.1 h p

h h h h

h h h h

h h h h s o e

d d h h R

h h h

h h h h h h

h h h h h

h h h h h h h h

h h h h h h h h w

h h h h

h h h h

h h h h h

86. h h El-Kholy, h h h h h h

h h h A h h h e w

s h h h h p h

h h h h h

h h h R

h h h

h h h h h h h

e h h h h h h

h h h h h s

h h h A h h h

h h h h h h

h h h h h h

h h h e h a w o h h h h h m

h h h h h

h h h h h

h h h h h h h h

h h h h

h h h

h h h h h

h h h h h h

gq hbi

is6Mr Nd Ms Aha

in666s

hijc

87. Aha hbi

in666s6yMs Aha

is2013, gpn

hAS T666C gq hbi

Gh6y Ah

hijc

iks abbb

y l hspv

dhAp hbi

fi666p

ast

gq

nina6of

gq hbi

hijc h66

hijc 4/3 gq hbi h6666 h66

gabepso

abp Astin

El-

Kholy,

in e d h d p o u d f

hpa

uip

hpa uokobun

hpa Spa

hlyyoh

hpa

hpa

hpa

hpa.2(c).

90.

hpa

hpa

hpa

hpa 13.1 hpa

hpa

hpa

hpa a b d w

hpa

hpa (ILAT

Judgment No.3437 (2015)).

91.

hpa

hpa

hpa

hpa

s13.1(c) d.6(c).

Relief

92.

By 69/203, p18 D12014 hpa

21 Jun 2015, hpa

hpa 10.5 hpa

hpa

5. As p h d hpa

hpa

(a) R

hpa

hpa p h h w

04.9(c)-3a(y)4.(y) hpa ID-.66 D5 (By 4)8.7(a)-3hpa (045 0 I

96. ~~As a result of~~

~~the~~ Ash ~~and~~

Bowen 2011-NAT183,

~~the~~

~~the~~

~~and~~

~~the~~

~~the~~

~~and~~

Warren 2010-NAT059 ~~and~~

~~the~~

Koh ND/2010/040;

Tolstopiatov

ND/2011/012;

Cohen 2011-NAT131). ~~the~~

~~the~~

~~the~~

~~the~~

~~the~~

97. ~~In~~

~~the~~

~~the~~ 10.5(a) ~~and~~

~~the~~

~~the~~

~~the~~

~~the~~

~~the~~

~~the~~

~~the~~

98. ~~As~~

~~the~~

~~the~~

~~the~~

~~the~~

~~the~~

