

Case No. UNDT/GVA/2016/082

Judgment No. UNDT/2017/040

7. The respondent is ordered to pay to the claimant, within 30 days of the date of this judgment, the sum of \$100,000 (one hundred thousand dollars) plus interest at the rate of 5% per annum on the amount of the award from the date of the award until the date of payment. The respondent is also ordered to pay the claimant's costs of the proceedings.

20. The present case falls into question of the application and interpretation of staff rules 4.17 and 4.2 (as amended by ST/A/2010/2 and ST/A/2010/4) relating to the termination of the employment of staff members of the United Nations system. The staff rules provide, in particular, that the termination of staff members must be based on the grounds specified in article 10 of the Charter of the United Nations.

21. Staff rule 4.17 provides that the termination of the employment of staff members must be based on the grounds specified in article 10 of the Charter of the United Nations.

-a/ A former staff member who was employed under conditions established in the Charter of the United Nations is entitled to a pension benefit unless he or she was reinstated under staff rule 4.18.

-b/ The terms of the pension benefit are fixed by the Charter of the United Nations. The former staff member is entitled to the pension benefit unless he or she was reinstated under staff rule 4.18.

22. The former staff member is entitled to the pension benefit unless he or she was reinstated under staff rule 4.18.

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46. The Tribunal notes that in determining whether the staff members had a real and genuine interest in the content of the "agreements" to permanent appointments the Appeals Tribunal took into consideration whether the former was assigned from the previous position (or, at a time, real or set between the, various appointments (or, moved from one entity to another, to take up a "different" different post (or, benefited from separation entitlements -see e.g. 201@.UNAT.@706

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Judge Te,esa ! ,a<o

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