Introduction

1. B a!!"#$a%#o& f#"ed o& 21 De$e ' (er 2015) %*e A!!"#$a&% see+s %o s,s!e&d) !e&d#&g ' a&age ' e&% e-a",a%#o&) %*e # ' !"e ' e&%a%#o& of %*e de$#s#o& %o %er ' #&a%e *#s f#.ed/%er ' a!!o#&% ' e&%) as &o%#f#ed %o *# ' ("e%%er of %*e Ass#s%a&% 0e$re%ar / Ge&era" for 1, ' a& 2eso,r$es 3a&age ' e&% (4A0G/O1235) da%ed 1 De$e ' (er 2015.

Facts

2.

8. B re!" e ' a#"s of 3 a&d 18 3 ar$* 201:) %*e A!!"#$a&% de&#ed %*e a%%e ' !% of de$e!%#o& a""ega%#o&s) *o"d#&g %*a% *e *ad re$e#-ed ' ed#$a" %rea% ' e&% a% %*e ' ed#$a" $e&%re #& @,es%#o&) %*a% *e *ad !a#d %*e s,(' #%%ed #&-o#$es) a&d %*a% %*e ' ed#$a" $e&%re *ad a $a!a$#% for ,! %o f#-e #&/!a%#e&% ad ' #ss#o&s a% a %# ' e ;*#"e o,%so,r$#&g !ro$ed,res %*a% #% $o,"d &o% *a&d"e. 1e a"so s%a%ed %*a% *e &e-er re@,es%ed s#$+ "ea-e d,r#&g %*e a""eged %rea% ' e&%s

10. O& 21 A,g,s% 201:) %*e A!!"#$a&% Do#&ed %*e U&#%ed Na%#o&s Ass#s%a&$e 3#ss#o& #& Afg*a&#s%a& (4UNA3A5) as a& F&g#&eer (P/3)) o& a f#.ed/%er ' a!!o#&% ' e&%.

11. B "e%%er da%ed 27 3ar$* 2015) %*e F.e$,%#-e Coord#&a%or) UNV) s*ared VB7=s #&-es%#ga%#o& re!or% #&%o a'"eged fra,d (%*e A!!"#$a&%) da%ed 18 De$e'(er 2013) ;#%* %*e De!ar%'e&% of C#e"d 0,!!or% (4DC05) a% 1ead@,ar%ers) a&d ad-#sed %*a%) af%er re-#e; of %*e #&-es%#ga%#o& a&d %*e A!!"#$a&%=s $o'' e&%s) %*e APD3 *ad fo,&d %*e a'"ega%#o&s %o (e 4$o&-#&$#&g" s,(s%a&%#a%ed5G %*e $ase ;as) %*erefore) $o&s#dered as o&e of ser#o,s '#s$o&d,$% as def#&ed #& %*e Code of Co&d,$% for UNVs) #& -#o"a%#o& of %*e Co&d#%#o&s of 0er-#$e for UNVs 200E. Based o& %*e APD3=s re$o'' e&da%#o&s) %*e F.e$,%#-e Coord#&a%or 4s,(se@,e&%" de$#ded %*a% s,''ar d#s'#ssa";o,"d *a-e (ee& %*e a!!ro!r#a%e d#s$#!"#&ar 'eas,re %o %a+e *ad A%*e A!!"#$a&%B s%#"" (ee& ser-#&g as a UN Vo",&%eer5.

12. O& %*e sa'e da%e) %*e F.e$,%#-e Coord#&a%or) UNV) se&% a "e%%er %o %*e A!!"#$a&% $o&-e #&g #de&%#$a" $o&$",s#o&s.

13. B 'e'ora&d,' da%ed 15 9,&e 2015) %*e Ass#s%a&% 0e$re%ar /Ge&era" for C#e"d 0,!!or% (4A0G/DC05) referred %*e 'a%%er %o %*e A0G/O123 for %*e %er'#&a%#o& of %*e A!!"#$a&%=s $o&%ra$% for 4fa$%s a&%er#or %o *#s a!!o#&%'e&% ;#%* UNA3A5) 'a+#&g refere&$e %o %*e "e%%er of 27 3ar$* 2015 %o DC0 a&d VB7=s #&-es%#ga%#o& re!or% a%%a$*ed %*ere%o.

1:. Co'"o;#&g a "e%%er of 22 0e!%e'(er 2015 fro' %*e A0G/O123) %*e A!!"#$a&% s,('#%%ed ;r#%%e& $o'' e&%s) da%ed : O$%o(er 2015) re#%era%#&g %*a% *e d#d &o% $o'' #% fra,d aga#&s% VB7.

15. B "e%%er of %*e A0G/O123) da%ed 1 De$e'(er 2015 a&d de"#-ered %o %*e A!!"#$a&% %;o da s "a%er) %*e A!!"#$a&% ;as #&for'ed of %*e de$#s#o& %o %er'#&a%e *#s a!!o#&%'e&% !,rs,a&% %o s%aff reg,"a%#o& 9.3(a)(-) a&d s%aff r,"e 9.8($)(-) for fa$%s a&%er#or %o *#s $o&%ra$% ;*#$*) #f +&o;& a% %*e %#'e of *#s a!!o#&%'e&%) s*o,"d *a-e !re$",ded sa'e) #& !ar%#$,"ar %*e s,('#ss#o& of 'ed#$a" #&s,ra&$e

$"a# ' s $o&%a#&#&g fa"se #&for ' a%#o&. 7% ; as a"so #&

e. C*a!%er I of %*e 0%aff 2,"es a&d 0T/A7/371 a!!" o&" ;*e& d#s$#!"#&ar 'eas,res are #'!osed. T*e afore'e&%#o&ed s%aff reg,"a%#o& 9.3(a)(-) a&d s%aff r,"e 9.8($)(-) e&-#sage %er '#&a%#o& #& $#r$,'s%a&$es o%*er %*a& d#s$#!"#&ar . T*e A!!"#$a&% re$e#-ed %*e "e-e" of d,e !ro$ess a!!ro!r#a%e for %er '#&a%#o& for fa$%s a&%er#orG *e ;as g#-e& %*e o!!or%,&#% %o !ro-#de $o ''e&%s) ;*#$* *e d#d o& 5 O$%o(er 2015G

f. Co&%rar %o %*e A!!"#$a&%=s $o&%e&%#o& %*a% %*e ,&der" #&g $o&d,$% o& ;*#$* %*e Ad'#&#s%ra%#o&=s de$#s#o& ;as (ased ;as &o% !ro-e&) %*e e-#de&$e aga#&s% *#'#s "arge" $o&%a#&ed #& %*e #&#%#a" 9a&,ar 201: s%a%e'e&% of %*e $*#ef !* s#$#a& of %*e 'ed#$a" $e&%re. J *#"e *e "a%er s%a%ed %*a% %*e %rea%'e&%s a'"eged" re$e#-ed (%*e A!!"#$a&% $o,"d * !o%*e%#$a"" *a-e (ee& ,&der%a+e& #& %*a% $e&%re or a% a referred $"#&#$) *e d#d &o% $*a&ge *#s #&#%#a" asser%#o& %*a% %*e #&-o#$es s,('#%%ed ;ere &o% a,%*e&%#$G

Urgency

g. T*ere #s &o ,rge&$) s#&$e %*e "ega"#% of %*e $o&%es%ed %er '#&a%#o& 'a (e f,"" de%er'#&ed #& %*e fra'e;or+ of a s,(s%a&%#-e a!!"#$a%#o& o& %*e 'er#%sG

*. A& ,rge&$ #s se"f/$rea%ed) %*e A!!"#$a&% *a-#&g ;a#%ed %;o ;ee+s %o $o&%es% %*e de$#s#o&G

add#%#o&) (o%* %*e de$#s#o& "e%%er a&d %*e 2es!o&de&%=s re!" ,&a ' (#g,o,s" #&-o+e %*e d#s$re%#o&ar !o;er of %*e 0e$re%ar /Ge&era" a&d 4%*e de"ega%ed a,%*or#% of %*e U&der/0e$re%ar /Ge&era" for 3 a&age ' e&%5.

2:. 1o;e-er) as a ' a%%er of fa$%) %*e de$#s#o& ;as $o&-e ed (a "e%%er s#g&ed (%*e A0G/O1 2 3) ;*#$* #s #& #%se"f a& # ' !or%a&% e"e ' e&% #& de%er ' #&#&g %*e a,%*ors*#! of %*e de$#s#o& (see D#Hooge 2010/UNDT/0::). 7% s*o,"d (e added %*a% a"" $orres!o&de&$e o& %*#s ' a%%er) #&$",d#&g #&%er&a" $orres!o&de&$e &o% addressed %o %*e A!!"#$a&%?s,$* as %*e A0G/DC0= $orres!o&de&$e of 15 9,&e 2015 ?; as addressed %o %*e A0G/O1 2 3 a&d &o% %o %*e U0G/D 3 .

25. C,r%*er) %*e Tr#(,&a" &o%es %*a% &o #&d#$a%#o& $a& (e fo,&d #& %*e do$,' e&%s o& f#"e of %*e U0G/D 3=s #&-o"-e ' e&% #& %*e de$#s#o&) or ? a% "eas%?%*a% *e *ad (ee& +e!%#&for ' ed of %*e re"a%ed !ro$ed,res.

28. 6as%") %*e 2es!o&de&%) a"%*o,g* $o&fro&%ed ;#%* %*e e.!"#$#% $o&%e&%#o& %*a% %*e de$#s#o&/' a+er ;as &o% -es%ed ;#%* %*e a,%*or#% %o %er ' #&a%e %*e A!!"#$a&%) add,$ed &o e-#de&$e of a& +#&d of !ar%#$#!a%#o& of %*e U0G/D 3 #& %*e de$#s#o&/' a+#&g !ro$ess. 7& s,$* a s#%,a%#o&) #% #s &o% s,ff#$#e&% %o s#' !" refer %o %*e ;ord#&g of %*e A0G/O1 2 3=s "e%%erG ra%*er) %*e 2es!o&de&% s*o,"d *a-e !ro-#ded %*e Tr#(,&a" ;#%* $o&-#&$#&g ' a%er#a" s*o;#&g %*a%) #&deed) #% ;as %*e U0G/D 3) a&d &o% %*e A0G/O1 2 3) ;*o %oo+ %*e $o&%es%ed de$#s#o&.

27. T*e $o' !e%e&$e of %*e de$#s#o&/' a+er #s a $or&ers%o&e of %*e "ega"#% of a& ad ' #&#s%ra%#-e de$#s#o&. J*e& %*e e.er$#se (%*e Ad ' #&#s%ra%#o& of #%s d#s$re%#o&ar !o;er #s ,&der D,d#$#a" re-#e;) a& "a$+ of a,%*or#% "eads #&e-#%a(" %o %*e res$#ss#o& of %*e $o&%es%ed de$#s#o& (*demagic et al% UNDT/2012/131G see a"so "ompass Order No. 99 (GVA/2015)).

2E. 7& %*e a(se&$e of a& e-#de&$e %*a% %*e $o' !e%e&% a,%*or#% ' ade %*e $o&%es%ed de$#s#o&) ser#o,s a&d reaso&a("e do,(%s ar#se as %o #%s "ega"#% . 7f a& s,$* !roof e.#s%s) %*e Ad ' #&#s%ra%#o& ;#"" *a-e a ' !"e o!!or%,&#% %o #&%rod,$e #% #& %*e o&/go#&g ' a&age ' e&% e-a",a%#o& !ro$ess.

29. 7& add#%#o&) o%*er #ss,es ra#se ser#o,s @,es%#o&s as %o %*e "a;f,"&ess of %*e de$#s#o& ,&der $o&s#dera%#o&. 0#&$e #% #s (ased o& s%aff r,"e 9.8($)(-)) %*ere &eeds %o (e 4fa$%s a&%er#or5 %o %*e A!!"#$a&%=s a!!o#&%'e&% of s,$* &a%,re as %o !re-e&% *#s a!!o#&%'e&%. T*e Ad'#&#s%ra%#o& *as $"ar#f#ed %*a% %*ese fa$%s are &o% %*e de%er'#&a%#o& (%*e F.e$,%#-e Coord#&a%or) UNV) %*a% %*e A!!"#$a&% *ad e&gaged #& ser#o,s '#s$o&d,$% deser-#&g s,''ar d#s'#ssa") (,% %*e a""eged $o&d,$% #%se"f) &a'e" a%%e'!% of 'ed#$a" fra,d (s,('#%%#&g fa"se #&-o#$es %o BV7. 7% #s @,es%#o&a("e %o *o"d %*a% %*e Orga&#<a%#o& d#d &o% +&o; %*ese fa$%s a% %*e %#'e of %*e A!!"#$a&%=s a!!o#&%'e&%) s#&$e BV7 *ad "o&g (efore s,('#%%ed #%s #&-es%#ga%#o& re!or%) a&d d#s$#!"#&ar !ro$ed,res *ad (ee& e&gaged as !er %*e r,"es a!!"#$a("e %o UNVs. 7& %*#s $o&%e.%) #% #s do,(%f," %*a% %*e Orga&#<a%#o& 'a *o"d aga#&s% o&e of *#s e'!"o ees %*e fa$% %*a% a re"e-a&% !#e$e of #&for'a%#o&; as &o% %#'e" %ra&s'#%%ed fro'o&e g#-e& de!ar%'e&% %o a&o%*er.

30. 3 oreo-er) #% #s &o% $"ear; *e%*er %*e ,&der" #&g fa$%s $*ara$%er#sed as fra,d *a-e (ee& d," es%a("#s*ed. T*e A!!"#$a&% *as $o&%es%ed %*e re"e-a&% a""ega%#o&s fro'%*e (eg#&&#&gG fro'%*e $ase f#"e) #% #s ,&$"ear; *e%*er %*e APD 3 fo,&d %*e e-#de&$e (efore #% s,ff#$#e&%. 7& a& e-e&%) %*e Tr#(,&a" &o%es %*a% %*e Orga&#<a%#o& *as &o% #&-es%#ga%ed %*e a""ega%#o&s a&d %*a% %*e VB7 re!or% ; as f#&a"#sed (efore #% re/$o&%a$%ed %*e so"e ;#%&ess #&%er-#e;ed. 7% #s f,r%*er &o%e;or%* %*a%) ;*e& re/$o&%a$%ed (VB7) %*#s ;#%&ess a"%ered *#s #&#%#a" s%a%e'e&% #& -ar#o,s res!e$%s) ;*#$* "ed VB7 %o as+ f,r%*er @,es%#o&s a&d o&e of #%s e'!"o ees %o ;r#%eH

> T*#s #s a (#% of a& ,&for%,&a%e s#%,a%#o& as ;e *ad a"read re!or%ed L %*e fa$% %*a% A%*e $o&$er&ed 'ed#$a" $e&%reB ;as a& o,%/!a%#e&% fa$#"#% o&" %o A%*e A!!"#$a&%sB=s e'!"o er.
>
> As o, &o; $o&f#r'%*a% #&!a%#e&% ad'#ss#o&s ;ere !oss#("e) %*#s #s a $a,se for reasonable doubt on the possible admissions of &the $pplicant'. (e'!*as#s added)

31. J *#"e $o&$ed#&g %*a% %*ere are reaso&s %o do,(% %*e $red#(#"#% of (o%* %*e A!!"#$a&% a&d %*e ;#%&ess) %*e Tr#(,&a" #s &o% sa%#sf#ed %*a% %*e Ad'#&#s%ra%#o& %a+es as a fa$% %*a% %*e A!!"#$a&% $o''#%%ed fra,d o& %*e (as#s of ;*a%'#g*% (e a& #&$o'!"e%e or #&ade@,a%e #&-es%#ga%#o&.

Conclusion

37. 7& -#e ; of %*e forego#&g) #% #s O2DF2FD %*a% %*e de$#s#o& %o %er ' #&a%e %*e A!!"#$a&%=s $o&%ra$% for fa$%s a&%er#or %o *#s a!!o#&% ' e&% (ased o& s%aff reg,"a%#o& 9.3(a)(-) a&d s%aff r,"e 9.8($)(-) (e s,s!e&ded !e&d#&g %*e o,%$o ' e of %*e ' a&age ' e&% e-a",a%#o&.

((igned)
9,dge T*o ' as 6a+er
Da%ed %*#s 30%* da of De$e ' (er 2015

F&%ered #& %*e 2eg#s%er o& %*#s 30%* da of De$e ' (er 2015
((igned)
2e&M 3. Vargas 3.) 2eg#s%rar) Ge&e-a