

Case No.: UNDT/GVA/2018/028

Order No.: 30 (GVA/2020)

Date: 10 March 2020

## **Introduction**

1. By an application filed on 28 March 2018, the Applicant, a former staff member of the Office of the United Nations High Commissioner for Refugees (“UNHCR”), contests the decision to separate him from service with compensation in lieu of notice and without termination indemnity.

2. On 30 April 2018, the Respondent filed his reply arguing that the application is without merit as the Organization considered all relevant facts, applied the relevant norms and followed established procedures in reaching the contested decision.

## **Consideration**

3. The Tribunal is called to assess whether:

- a. The facts have been established on the required standard of proof;
- b. The established facts constitute misconduct; and
- c. The disciplinary measure is proportionate to the gravity of the Applicant’s misconduct.

4. The Tribunal notes that solely the facts mentioned in para. 44 of the investigation report constitute the basis of the disciplinary measure imposed on the Applicant. Therefore, the Tribunal considers



