

Introduction

1. The Applicant, a former staff member of the United Nations High Commissioner for Refugees (UNHCR), filed the current Application to challenge the decision of the High Commissioner for Refugees, dated 26 February 2013, to impose on her the disciplinary measure of a written censure as per staff rule 10.2(a)(i) and a fine of one month's net base salary as per staff rule 10.2(a)(v) (the Contested Decisions).

2. The Applicant filed her Application with the Nairobi Registry of the United Nations Dispute Tribunal (the Tribunal) on 23 May 2013. The Respondent filed his Reply on 28 June 2013.

3. The Tribunal held a hearing of the case on the merits from 12-15 May 2014 during which extensive evidence was heard.

Background

4. The Applicant joined the UNHCR Branch Office in Kigali, Rwanda, (BO Kigali) in February 2007 as the Representative at the P-5 level. She was promoted to the D-1 level in November 2007. The Applicant's assignment in BO Kigali ended in December 2010.

5. On 23 August 2010 and 8 November 2010, the IGO received 2 complaints of alleged misconduct involving the Applicant.

6. Consequently, on 1 December 2010, the IGO established an *ad hoc* inspection mission (Inspection Mission) to examine and report on the overall management of the UNHCR operation in Rwanda and, in particular, the internal management of BO Kigali. The Inspection Mission visited Kigali from 14 – 20 December 2010 and issued its report in January 2011.

such as the minutes of the Local Committee on Contracts, of the Local Asset Management Board, of staff meetings in Kigali, leave of absence records of the staff, correspondence with the Legal Affairs Section, the Country Operation Plan for 2010, and the findings of the 2008 Global Survey.

11. In the light of the observations of the Investigation Team on the operation of the Inspection Mission:

It is hereby ORDERED that:

12. The Respondent submit to the Nairobi Registry via the eFiling portal, under cover of confidentiality, and **no later than Thursday, 8 October 2015:**

- a. The Terms of Reference of the Inspection Mission;
- b. The key entities and other duty stations the Inspection Mission contacted and the information gathered;
- c. The persons interviewed by the Inspection Mission and the notes of evidence taken;
- d. The documents the Inspection Mission considered, namely, the minutes of staff meetings, leave of absence records and the Country Operation Plan for 2010, and the findings of the 2008 Global Survey.

(Signed)

Judge Vinod Boolell

Dated this 24th day of September 2015

Entered in the Register on this 24th day of September 2015

(Signed)

Abena Kwakye-Berko, Registrar, Nairobi