



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NBI/2010/03/
UNAT/1565
Judgment No.: UNDT/2010/209
Date: 03 December 2010
Original: English

Boolell: Judge Vinod Boolell

Registry: Nairobi

Registrar: Jean-Pelé Fomété

OGÉ

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

JUDGMENT

Counsel for Applicant:

François Lorient

Counsel for Respondent:

David Browne, ALS/OHRM, UN Secretariat

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the representative of the Secretary-General would a

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When the Panel considers it to be essential for the staff member to be present at a hearing, the Secretary-General shall be urged to make that presence possible

Findings

38. The Applicant was afforded a hearing in regard to the charges alleged against him. The JDC made all the arrangements for such a hearing to take place in Geneva whereas the Applicant and his counsel were based outside the location where the JDC would hold a hearing. Following this, the Applicant made the request that both he and his counsel should be physically present in Geneva for the hearing. To this end, he sent a letter dated 25 October 2005 to the USG for Management requesting that all the travel expenses be borne by the Administration. That request was turned down. The concluding paragraph of the then USG's letter to Counsel for the Applicant reads as follows:

43. In the light of the above, the Tribunal decides to reject the application in its entirety.



mod Boolell

Dated this 3rd day of December 2010

Entered in the Register on this 3rd day of December 2010

