Case No.:

## UNITED NATIONS DISPUTE TRIBUNAL

!"g#e\$% No. UNDT/201&/0'(/Co)).1

## Introduction

1. B- a88/.;a%.o\$ f./e" o\$ 16 a\$!a)- 2016: %0e A88/.;a\$%: a \$01 )e%.)e" s%aff #e#,e) of %0e U\$.%e" Na%.o\$\$ 7.g0 Co##.ss.o\$e) fo) Ref!gees =>UN7CR?@:;o\$%es%s %0e "e;.s.o\$ of %0e 7.g0 Co##.ss.o\$e): \$0%.f.e" o\$ 16 No2e#,e) 201(:\$0% %0 8)o#o%e 0.# f)o# %0e P6A %0 %0e P6( /e2e/ "!).\$g %0e 201A P)o#o%.o\$s Sess.o\$.

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sa#e /e2e/. T0e A88/.;a\$% 1 as /a%e) )eass.g\$e" .\$ !/- 1&&& %o P)e%o).a: So!%0 Af).;a as a Reg.o\$a/ D!)a,/e So/!%.o\$s Off.;e): )e#a.\$.\$g a% %0e P6' /e2e/. I\$ a\$!a)- 2000: %0e A88/.;a\$% )e;e.2e" a\$ .\$"ef.\$.%e a88o.\$%#e\$%. +)o# !/- 2000 %o

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- 7. B- #e#o)a\$"!# "a%e" 1' No2e#,e) 201(: ,!% ".s%).,!%e" o\$ 16 No2e#,e) 201(: %0e 7.g0 Co##.ss.o\$e) a"2.se" of %0e \$a#es of %0ose 8)o#o%e" %0 %0e P6( /e2e/. T0e A88/.;a\$% 1 as \$0% 8)o#o%e".
- \*. Toe A88/.;a\$\( )\) eD!\( es\\ e'' \) so \( e \; /a \).f.;a\( o \\$ ; o \\$; e \) \$.\$\( g \ a \\$! \# , e \) of \( #a\\ e \) s: fo//o 1.\$\( g \ 10.; 0 \) 0e \( s! , #.\\ e'' \) a \( )e; o! \) se \( a88/.;a\\ .0\$\( o \\$ 2' \) De;\( e \# , e \) 201(. Toe A88/.;a\\ 1 \) as \( a'' 2.se'' \) o\( s \ 22 \) !/- 2016 \( \hat{0}a\ \) 0e \( 1 \) as \( \\$0\ s \ !; ; essf! / .\\$ 0.s \( )e; o! \) se \( a88/.;a\\ .0\$.
- &. O\$ 1& Se8%e#,e) 2016: %0e A88/.;a\$% )eD!es%e" #a\$age#e\$% e2a/!a%.o\$ of %0e "e;.s.o\$ \$0% %0 8)o#o%e 0.# %0 %0e P6( /e2e/: %0 10.;0 0e )e;e.2e" a )es8o\$se o\$ 6 De;e#,e) 2016. T0.s /e%%e): f./e" as A\$\$eC & %0 %0e a88/.;a%.o\$: 1 as .\$.%.a//-eC;/!"e" f)o# %0e; ase f./e, O)"e) No. 12 =GVA/2017@ of 17 a\$!a)- 2017: as .%;o\$%a.\$e" a\$ offe) of se%%/e#e\$% %0a% s0a//, e <e8%;o\$f."e\$%.a/. 7o1e2e): !8o\$ )e2.e1 of %0e 10o/e; ase f./e a\$" f!)%0e);o\$s."e)a%.o\$: %0e T).,!\$a/ 0as "e;."e" %0 .\$;/!"e.%.\$%0e f./e: g.2e\$%0a%.%.s %0e o\$/-)es8o\$se %0a%%0e A88/.;a\$%)e;e.2e"%o 0.s )eD!es% fo) #a\$age#e\$% e2a/!a%.o\$ a\$" %0a% a88/

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- 1&. T0e A88/.;a\$\( \) \) \) \) \) \) \) \( \) \) \( \)
- 21. T0e T)., !\$a/ a/so )e;a//s %0a%; o#8e\$sa%.o\$ .\$ /.e! see<s %o; o#8e\$sa%e s%aff #e#,e)s fo) %0e fa;% %0a% %0e O)ga\$.9a%.o\$ 1.// \$o% )es;.\$": o) .\$ %0.s; ase: ;a\$\$o%8)a;%.;a//- )es;.\$" a "e;.s.o\$ %a<e\$ .\$ 2.o/a%.o\$ of %0e.) %e)#s a\$" ;o\$".%.o\$s of e#8/o-#e\$%: as 1o!/" o%0e)1.se ,e %0e; ase. I% "oes \$o% see< %o; o#8e\$sa%e a s8e;.f.; 0a)# 10.;0 #!s% ,e s!88o)%e" ,- e2."e\$;e. I\$ %0.s )es8e;%: %0e ".ffe)e\$;e

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a D61; o//eag!e %0a% Oe 1e\$% %0 %0e T).,!\$a/a\$" "." \$0% ge% 8)0#o%e"?,!% go% #0\$e-. 7e "." \$0% %a<e %0e; o#8e\$sa%.o\$ as %0.s.s \$0% 10- Oe s%a)%e" %0.s 8)0; ess: 10.; 0 Oa" ")a.\$e" 0.# %0 a 80.\$% 10e)e Oe 1o\$"e)s 10- Oe 1as "o.\$g. %. U/%.#a%e/-: .% 1as fo) %0e )e; og\$.%.o\$ of 0.s 1o)<: 10.; 0 Oe s%.// "." \$0% ge%. 7e; o\$; /! "e" 0.s s!, #.ss.o\$s, - sa-.\$g:

A% %0e e\$" of %0.s 8)o;ess: f)o# %0e 8)o#o%.o\$ sess.o\$s: a88ea/: T).,!\$a/ "e;.s.o\$: a\$" )e#e".a/a;%.o\$s: I /ea2e 1.%0 a fee/.\$g %0a% %0e O)ga\$.9a%.o\$ fo) 10.;0 I "e".;a%e" 2' -ea)s of /.fe "oes \$o% see #e as 0!#a\$ ,e.\$g. I a# \$o% )e;og\$.9e" as a ;o//eag!e %o 10o# .\$E!s%.;e 1as "o\$e: ,!% )a%0e) as a >foo% so/".e)? 10o 1as >;o//a%e)a/ "a#age?.

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## Conclusion

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  - ;. Toe afo)e#e\$%.o\$e" ;o#8e\$sa%.o\$ .\$ /.e! of )es;.ss.o\$ s0a// ,ea) .\$%e)es% a%%0e U\$.%e" S%a%es 8).#e )a%e 1.%0 effe;% f)o#%0e "a%e%0.s !"g#e\$% ,e;o#es eCe;!%a,/e!\$%./8a-#e\$% of sa." ;o#8e\$sa%.o\$. A\$ a"".%.o\$a/ f.2e 8e) ;e\$% s0a// ,e a88/.e" %o %0e U\$.%e" S%a%es 8).#e )a%e 60 "a-s f)o# %0e "a%e%0.s !"g#e\$% ,e;o#es eCe;!%a,/eF
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