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**Appointments to fill vacancies in subsidiary organs and
other appointments: appointment of the judges of the
United Nations Dispute Tribunal**

Proposed programme budget for 2020

Administration of justice at the United Nations

Administration of justice at the United Nations

Report of the Secretary-General

Summary

The General Assembly, by resolutions [61/261](#), [62/228](#) and [63/253](#), decided to establish an independent, transparent, professionalized, adequately resourced and decentralized system of administration of justice for resolution of work-related disputes at the United Nations. This system commenced operation on 1 July 2009.

In the present report, the Secretary-General, as the chief administrative officer of the Organization, provides information on the functioning of the system of administration of justice for the calendar year 2018 and offers observations with respect thereto.

In its resolution [73/276](#), the General Assembly requested the Secretary-General to report on a number of matters at its seventy-fourth session. The present report includes a consolidated response to those requests.

The General Assembly is invited to take action as set out in paragraph 103.

* [A/74/50](#).



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I. Overview

1. The system of administration of justice at the United Nations was established by the General Assembly in resolutions [61/261](#), [62/228](#) and [63/253](#) and came into operation on 1 July 2009. The system and the roles of stakeholders therein are described in annex I to the present report. The system flow chart is depicted in annex II.
2. The present report reviews the functioning of the formal system in 2018 and responds to specific requests of the General Assembly in resolution [73/276](#).

II. Review of the formal system of justice

A. Trends and observations on the operation of the formal system of administration of justice

3. The nexus between decisions that affect large numbers of staff members and recourse by staff members to the formal system, identified in earlier reports of the Secretary-General ([A/69/227](#), [A/70/187](#), [A/71/164](#), [A/72/204](#) and [A/73/217](#)), continued to be an ongoing feature of the system in 2018, with several group or cluster cases relating to changes in post adjustment for the Geneva duty station.

4. The Management Evaluation Unit received its third highest volume of requests in 2018, totalling 1,182. Of those requests, the Unit closed 1,087 by 31 December 2018 which, as a percentage of the total number of requests received, is in line with the output in previous years. The numbers of management evaluation requests in the funds and programmes were generally in the range of previous years.

5. In 2018, efforts to resolve applications in the formal system through informal means continued, resulting in the resolution of a number of pending applications without the need for a final adjudication on the merits. Of the matters submitted for management evaluation in the Secretariat in 2018, 85 per cent did not proceed to the United Nations Dispute Tribunal before 31 December 2018, indicating that the management evaluation function continues to play a crucially important role in providing resolution to staff members.

6. Similarly, in 2018, the Office of Staff Legal Assistance received 3,216 new requests for assistance and closed, through settlement or otherwise, 2,483 requests. Only a small number of requests received proceeded to the formal system. In 2018, the Office filed 173 requests for management evaluation and 119 applications to the Dispute Tribunal and represented staff in eight proceedings before the Appeals Tribunal. Overall, 50 per cent of requests (excluding the group cases) were resolved informally or otherwise disposed of without recourse to any formal mechanism. The offices representing the respondent also contributed to informal dispute resolution with a view to avoiding unnecessary litigation.

7. The majority (68 per cent) of requests for assistance from the Office of Staff Legal Assistance in 2018 related to benefits and entitlements, reflecting some significant changes made to the staff salary and benefits package that came into effect during 2017 as well as significant post adjustment changes in Geneva.

8. In 2018, the United Nations Dispute Tribunal received 316 new applications, of which 233 applications were on the merits and 83 were requests for suspension of action, a provisional measure for suspending the implementation of an administrative decision. Of the incoming applications, 27 per cent concerned appointment-related matters, 25 per cent concerned separation from service and 21 per cent involved benefits and entitlements. Disciplinary and miscellaneous matters accounted,

respectively, for 10 per cent and 17 per cent of applications (numbers have been rounded). These figures for the categories of cases reflect a consistent trend since the commencement of the system's operation in 2009.

9. In 2018, 44 applications pending before the Dispute Tribunal were withdrawn after informal resolution either between the parties, through mediation by the Office of the United Nations Ombudsman and Mediation Services, or after Tribunal case management. Of those, 1 case was closed by judgment and 43 were closed by orders of the Tribunal. The number of applications was consistent with that for 2017.

10. The Dispute Tribunal issued a total of 128 judgments in 2018, an increase over the 100 judgments issued in 2017, but a figure still relatively low compared with those for prior years. The number of judgments for 2018 is the third lowest over the period since the inception of the system (the number for 2017 was 100 and that for 2015, 126), including years where there were judicial vacancies.¹

11. The number of applications that were disposed of remained relatively low compared with the numbers for other years: in 2018, a total of 285 applications (transfers not counted) were disposed of by the Dispute Tribunal, 268 applications were disposed of in 2017, 401 in 2016, 480 in 2015, 320 in 2014 and 325 in 2013.² The number for 2018 corresponds to those for the early years of the system when jurisprudence was still developing: 98 for the second half of 2009, 236 for 2010, 271 for 2011 and 260 for 2012.

12. The number of pending applications at year end remained high, increasing from 372 in 2017 to 404 in 2018, which is the highest number of pending applications since the system was introduced. This backlog included a group case concerning a salary survey with 75 applicants³ which had been remanded to the Dispute Tribunal by the United Nations Appeals Tribunal on 24 March 2016, and at the end of 2018, had been pending with the United Nations Dispute Tribunal Geneva for over 2 years and 8 months. In March 2019, these cases were reassigned to Judge Teresa Maria da Silva Bravo, President of the Dispute Tribunal, who disposed of them in May 2019.

13. Included in the backlog of 404 cases carried over into 2019 were 39 applications concerning the unified salary scale issue, some of which had been pending before the United Nations Dispute Tribunal New York with two judges for approximately one year and seven months at the end of 2018. Other unified salary scale cases which had been filed at another Dispute Tribunal location, being identical in their legal arguments, were disposed of almost a year earlier, in December 2017, through three Dispute Tribunal judgments (UNDT/2017/097, UNDT/2017/098 and UNDT/2017/099). These judgments were appealed and the United Nations Appeals Tribunal delivered judgment on 29 June 2018 (in 2018-UNAT-840, 2018-UNAT-841 and 2018-UNAT-842). In December 2018, 7 of those 39 applications were closed by individual withdrawal judgments. In February and early April 2019, another judge closed a further six such applications by withdrawal judgments. The remaining 26 applications were reassigned to a half-time judge at the start of his deployment in April 2019. In April and early May 2019, the judge dismissed 16 applications by two judgments, noting that there was no arguable point of law and that the Appeals

¹ The figures (100, 126 and 128) do not include judgments on withdrawal. The judgments on withdrawal do not contain a decision on a dispute pending between parties: they note the withdrawal of the application and decide to close the case.

² Transfers were not counted as disposals in 2017. The 2016 disposals included 21 transfers; the 2015 disposals, 3; the 2014 disposals, 22; and the 2013 disposals, 8.

³ The United Nations Appeal Tribunal remanded 98 cases to the United Nations Dispute Tribunal, of which 23 were not pursued by the applicants and closed, resulting in 75 cases remaining. Twenty-five new applications concerning the same salary survey were filed subsequently and grouped into 5 cases, bringing the backlog of cases concerning the salary survey to 80.

Tribunal decision on the issue of the unified salary scale was binding on the Dispute Tribunal. In another 10 cases, staff members withdrew their claim and the Dispute Tribunal issued individual withdrawal judgments. These and other efforts by the President of the Dispute Tribunal, Judge Bravo, working with the Principal Registrar of the Dispute and Appeals Tribunals, as mandated by the General Assembly, to implement resolution [73/276](#) and enhance efficiency and improve outputs of the Dispute Tribunal were interrupted, owing to the circumstances set out in paragraph 17 below.

14. The 404 cases brought forward to 2019 also included ageing cases in respect of which the parties had filed the last responsive pleading and no action had been taken by the Dispute Tribunal for many months, or sometimes years. There is no provision in the statute or rules of procedure of the Dispute Tribunal that requires the judge assigned to the case to act on the application and respondent's reply within a specified time. Staff members, managers and work units, as well as the organization, are all negatively impacted in this regard and bear the cost of delays within the Dispute Tribunal with respect to the timely and efficient disposal of cases. Maintaining such cases on the docket has consequences as well for the caseload of legal officers in the Office of Staff Legal Assistance and the lawyers for the respondent.

15. The average length of time required for the United Nations Dispute Tribunal to process cases remained greater than in 2016 and about the same as in 2017. In addition to the 372 cases pending on 31 December 2017, 316 new cases were received by the Dispute Tribunal (not including 32 transfers from one Dispute Tribunal location to another). In 2018, 317 cases were disposed of. Overall, 56 per cent of the pending and incoming cases were not disposed of in 2018. The proportion of cases not disposed of was 58 per cent in 2017 and 39 per cent in 2016. Applications filed for suspension of action, which are required to be processed in five days, impact the work of the Dispute Tribunal and offices and entities involved, especially if several requests are filed at the same time, for example, when field missions are downsizing or closing.

16. In its resolution [71/266](#) of 23 December 2016, the General Assembly approved the proposal of the Secretary-General to amend the statutes of the Dispute and Appeals Tribunals whereby the President of each Tribunal would have the authority to monitor the timely delivery of judgments. In its resolution [73/276](#) of 22 December 2018, the Assembly noted with concern the number of pending applications to the United Nations Dispute Tribunal (para. 21); requested the Secretary-General to invite the Internal Justice Council to monitor and report on the timely delivery of judgments, in line with its terms of reference, and to provide its views on the implementation of the system of administration of justice (para. 23); and recalled paragraph 14 of the report of the Advisory Committee on Administrative and Budgetary Questions ([A/73/428](#)), requested the President of the Dispute Tribunal and the Principal Registrar of the Dispute Tribunal and the Appeals Tribunal to work together to develop and implement a case disposal plan with a real-time case-tracking dashboard and performance indicators on the disposal of caseloads, took note of recommendations 7 to 11 on judicial and operational efficiency contained in the report of the Internal Justice Council on administration of justice at the United Nations ([A/73/218](#)), stressed the need to improve administrative efficiency, and requested the Secretary-General to report on progress made to the Assembly at its seventy-fourth session (para. 24).

17. Effective 1 January 2019, Judge Bravo, the full-time judge in Geneva, was elected President of the Dispute Tribunal for one year. In April 2019, Judge Izuako, the ad litem judge in Nairobi, was elected by the six other judges as the new President of the Tribunal for an unspecified period. Judge Bravo rejected the request that she step down. The competing assertions made to the presidency of the Tribunal, which remain unresolved, highlight the insecurity of tenure of a duly elected President in

circumstances where the role requires the exercise of administrative authority within the Tribunal.⁴ The General Assembly may wish to remedy this weakness, based on a recommendation from the Internal Justice Council.

18. In 2018, 53 new appeals were filed against judgments of the Dispute Tribunal before the Appeals Tribunal. A Dispute Tribunal judgment can be appealed by either party. In 2018, the Appeals Tribunal disposed of 54 pending appeals against Dispute Tribunal judgments: it dismissed 32 appeals and granted relief in full in 18 appeals and relief in part in 4. One of the 54 cases was remanded back to the Dispute Tribunal.

19. The proportion of self-represented applicants before the Dispute Tribunal remained relatively low, at 39.2 per cent, in 2018. Representation of staff by the Office of Staff Legal Assistance before the Tribunal was at 44.6 per cent in 2018, down from 57 per cent in 2017 when the Office represented large groups of staff in entitlement and benefit cases.

20. Since 2017, two international entities have accepted the jurisdiction of one or both Tribunals. Effective 1 July 2017, the World Meteorological Organization accepted the competence of the Appeals Tribunal under article 2 (10) of the statute of the Appeals Tribunal. On 16 January 2019, the International Court of Justice, which had previously accepted the jurisdiction of the Appeals Tribunal, extended its association with the internal justice system of the United Nations by accepting the jurisdiction of the Dispute Tribunal, under article 2 (5) of the statute of the Dispute Tribunal. A few other entities have also expressed an interest in exploring the possibility of accepting the jurisdiction of one or both tribunals.

21. There are several other trends that suggest the need to enhance transparency and accountability in the operations of the Dispute Tribunal. These are set out in section III.B, in the subsection entitled “Case disposal plan and related initiatives”.

B. Management evaluation function

22. Management evaluation, which is described in annex I to the present report, is the first step in the formal system of administration of justice.

23. The number of management evaluation requests received for the years 2009–2018 in the Secretariat and the number of requests received in the funds and programmes are provided in table 1. Table 2 provides the numbers for the disposition of management evaluation requests in the Secretariat and the funds and programmes 2018. Table 3 provides numbers for the outcomes of cases in the Dispute Tribunal, following management evaluation in 2018. The table does not include applications filed with the Dispute Tribunal concerning administrative decisions that were not subject to management evaluation.

⁴ Statute of the Dispute Tribunal, art. 4, para. 7: “The Dispute Tribunal shall elect a President who shall have the authority, inter alia, to monitor the timely delivery of judgments” (amended by the General Assembly in its resolution [71/266](#), para. 44); rules of procedure of the Dispute Tribunal, art. 1: “1. The Dispute Tribunal shall elect a President from among the full-time judges, for a renewable term of one year, to direct the work of the Tribunal and of the Registries, in accordance with the statute of the Dispute Tribunal.” In its resolution [73/276](#), the Assembly: “24. Recalls paragraph 14 of the report of the Advisory Committee [[A/73/428](#)], requests the President of the Dispute Tribunal and the Principal Registrar of the Dispute Tribunal and the Appeals Tribunal to work together to develop and implement a case disposal plan with a real-time case-tracking dashboard and performance indicators on the disposal of caseloads, takes note of recommendations 7 to 11 on judicial and operational efficiency contained in the report of the Internal Justice Council, stresses the need to improve administrative efficiency, and requests the Secretary-General to report on progress made to the General Assembly at its seventy-fourth session”.

Table 1
Management evaluation requests received, 2009–2018

Year	Requests received						
	Secretariat	UNDP	UNHCR	UNOPS	UNFPA	UNICEF	UN-Women
2009	184	20	36	1	N/A	2	–
2010	427	13	22	1	4	16	–
2011	952	17	77	4	5	33	–
2012	837	11	56	4	18	60	–
2013	933	31	57	4	10	18	–
2014	1 541	37	45	1	23	31	–
2015	873	33	130	1	16	18	–
2016	944	12	100	4	12	41	2
2017	1 888	54	110	44	3	33	11
2018	1 182 ^a	55	94	39 ^b	14	58	9
Total	9 761	283	727	103	105	310	22

Abbreviations: UNDP, United Nations Development Programme; UNFPA, United Nations Population Fund; UNHCR, Office of the United Nations High Commissioner for Refugees; UNICEF, United Nations Children's Fund; UNOPS, United Nations Office for Project Services; UN-Women, United Nations Entity for Gender Equality and the Empowerment of Women.

^a Of the cases received in 2018 by the Management Evaluation Unit of the Secretariat: (a) 676 requests were submitted by Geneva-based staff members pertaining to the decision of the International Civil Service Commission (ICSC) to change the post adjustment multiplier for Geneva-based staff members; (b) 26 cases were submitted by staff of the African Union-United Nations Hybrid Operation in Darfur (UNAMID) regarding team site closures; and (c) 15 were submitted by staff from various entities on matters of consideration for continuing appointment.

^b Of the cases received in 2018 by UNOPS, 33 requests were submitted by Geneva-based staff pertaining to the decision of the International Civil Service Commission (ICSC) to change the post adjustment multiplier for Geneva-based staff.

Table 2
Disposition of management evaluation requests in 2018

Entity	Requests decided in 2018 ^a	Decisions upheld	Decisions reversed	Requests otherwise resolved	Decisions appealed to the United Nations Dispute Tribunal in 2018	Requests carried forward to 2019 ^b
Secretariat	1 248	1 048	6	194	165	95
UNDP	56	43	4	9	28	2
UNHCR	81	77	0	4	11	18
UNOPS	40	39	0	1	38	0
UNICEF	63	56	3	4	16	4
UNFPA	10	8	0	3	6	3
UN-Women	9	6	1	2	4	1

^a Includes cases received in 2018 and cases carried over from 2017 and earlier.

^b Includes all open cases that were not resolved in 2018 and were carried over to 2019.

Table 3
Outcome of cases in the United Nations Dispute Tribunal in 2018, following management evaluation

<i>Entity</i>	<i>Total number of cases^a</i>	<i>Settled or withdrawn</i>	<i>Upheld</i>	<i>Partially upheld</i>	<i>Overtaken</i>
Secretariat	105	35	50	1	19
UNDP	11	2	9	0	0
UNHCR	18	5	11	0	2
UNOPS	2 ^b	0	2 ^b	0	0
UNICEF	5	0	4	0	1
UNFPA	2	1	1	0	0
UN-Women	2	0	2	0	0

^a Represents all cases for which the entity represented the Secretary-General as respondent (excluding suspension of action applications) that were disposed of by the Dispute Tribunal, settled by the parties or withdrawn by the applicant in 2018, regardless of when the application was received.

^b Includes cases filed by numerous Geneva-based staff members pertaining to the decision of the International Civil Service Commission (ICSC) to change the post adjustment multiplier for Geneva-based staff members.

C. United Nations Dispute Tribunal

1. Composition

24. In 2018, the composition of the Dispute Tribunal was as follows: full-time judges: Teresa Maria da Silva Bravo (Geneva), Memooda Ebrahim-Carstens (New York) and Agnieszka Klonowiecka-Milart (Nairobi); half-time judges: Alexander W. Hunter, Jr., and Goolam Hoosen Kader-Meeran; ad litem judges: Rowan Downing (Geneva), Alessandra Greceanu (New York) and Nkemdilim Amelia Izuako (Nairobi).

25. In resolution [73/276](#), the General Assembly decided not to extend the ad litem judge position in New York beyond 31 December 2018 (para. 38); and also decided to extend the positions of the two ad litem judges in Geneva and Nairobi and the current incumbent judges, Judges Downing and Izuako, pending the nomination of candidates for half-time judge positions and the appointment of four half-time judges, which should take place no later than 31 December 2019. Judges Ebrahim-Carstens and Kader-Meeran completed their terms on 30 June 2019 and were replaced by Judge Joëlle Adda (full-time judge, New York) and Judge Francesco Buffa (half-time judge).

26. In 2018, the Dispute Tribunal judges held one plenary meeting in New York from 15 to 19 October.

27. Further information regarding the Dispute Tribunal, including its jurisdiction, is provided in annex I.

2. Judicial activities

(a) Caseload

28. In 2018, 316 new applications were received. There were also 32 cases in the existing caseload that were transferred between registries. The Dispute Tribunal uses inter-registry transfers to move cases. Cases may be transferred by the Tribunal from one registry to balance the caseload between locations or for case-specific purposes. This process involves the closing of the cases at the originating registry and the opening of new cases at the receiving registry. An “application” includes any application, motion or other request to the Tribunal that triggers the opening of a

numbered case by a Registry. Overall, 807 applicants were grouped by the Tribunal into a reduced number of applications, as their submissions included similar factual and legal issues raised in several waves of applications.⁵

29. In 2018, 285 applications were disposed of by 137 judgments (including 9 withdrawal judgments), 82 by suspension of action orders and 66 through other orders. Thirty-two cases were closed at one Dispute Tribunal location through inter-Registry transfers. On 31 December 2016, 257 applications were pending before the Tribunal, and on 31 December 2017, 372 applications were pending. On 31 December 2018, 404 applications were pending before the Tribunal (an increase of 57 per cent from 31 December 2016). The new applications included one notable group case with 802 applicants (including from the funds and programmes) challenging changes to the post adjustment multiplier in Geneva.

30. Judge Bravo, at the beginning of her term as President, reached out to the Principal Registrar for aggregate data and invited a discussion on a caseload disposal plan. Judge Bravo established targets for judgments and disposal numbers per month per Dispute Tribunal location and judge and issued a framework for the deployment of half-time judges. With regard to compliance with the three-month deadline from the close of hearing or submission and delivery of the judgment, as established in the Code of Conduct for the Judges of the United Nations Dispute Tribunal and the United Nations Appeals Tribunal, in 2017 and 2018, the highest compliance rate at one Dispute Tribunal location was 67 per cent of judgments and the lowest was 14 per cent of judgments. The duration between the filing of applications and the issuing of a first order by the Tribunal regarding the applications ranged from 1 to 392 days. Of the 316 applications filed with the Tribunal in 2018, by 14 June 2019, orders had been issued with regard to 99 applications.

31. Table 4 lists the numbers of Dispute Tribunal applications received, disposed of and pending per year (2009–2018). For 2018, the applications received and disposed of are disaggregated into dispositive judgments and orders, suspension-of-action orders and inter-registry transfers.⁶ Requests for suspension of the implementation of a contested administrative decision require the Dispute Tribunal to consider the application within five days from the service of the application on the respondent. While not as comprehensive as applications on the merits, owing to the time constraint and the need for the Tribunal to review whether the decision was *prima facie* unlawful, particularly urgent and would cause irreparable damage,⁷ such requests may require considerable work by the Tribunal and the Registries, resulting in a disruption in processing pending applications on the merits. A breakdown of the number of Tribunal suspension-of-action applications received and the number of judgments issued per year (2009–2018) is provided in Table 5. Table 6 provides a breakdown of the number of Tribunal applications received, disposed of or pending per year (2009–2018), by duty station.

⁵ An application may include more than one applicant. Applications may be grouped according to the organizational affiliation of a staff member, the types of issues subject to challenge or other factors.

⁶ The Dispute Tribunal carries out inter-Registry transfers for a variety of reasons. While it is a useful – and sometimes necessary – to transfer cases between duty stations in order to balance the Dispute Tribunal caseload, the current method of registering a case transferred to another duty station as closed at the duty station where it was initially filed, results in the case's appearing as disposed of by the Tribunal at the initial receiving location and that case's registration then being counted as the filing of a new application at the other duty station. Such practice distorts the aggregate data on caseload and the nature of cases. To ensure accuracy of reporting, the Registries are currently examining the counting methodology used in transferring cases between registries.

⁷ Article 13.1 of the rules of procedure of the Dispute Tribunal.

Table 4

United Nations Dispute Tribunal applications received, disposed of and pending, as reported, 2009–2018

<i>Year</i>	<i>Applications received^a</i>			<i>Applications disposed of</i>			<i>Applications pending (end of year)</i>		
2009	281			98			183		
2010	307			236			254		
2011	281			271			264		
2012	258			260			262		
2013	289			325			226		
2014	411			320			317		
2015	438			480			275		
2016	383			401			257		
2017	382			268			372		
2018	348			317 ^b			404		
	<i>Merits</i>	<i>Suspension of action</i>	<i>Transfer</i>	<i>Merits</i>	<i>Suspension of action</i>	<i>Transfer</i>	<i>Merits</i>	<i>Suspension of action</i>	<i>Transfer</i>
	231	85	32	203	82	32	401	3	0
Total	3 388			2 886			–		

^a The figures in the table include applications for suspension of action to the Dispute Tribunal, which received 85 such applications in 2018.

^b Of the 317 applications disposed of (32 transfers and 285 applications that were disposed of with finality), 158 were filed in 2018, 98 in 2017, 48 in 2016, 10 in 2015, 1 in 2014 and 2 in 2013.

Table 5

United Nations Dispute Tribunal suspension-of-action applications received and judgements delivered, 2010–2018

<i>Year</i>	<i>Suspension-of-action applications received</i>	<i>Judgments delivered</i>
2010	21	217 (3 withdrawal judgments included)
2011	74	219
2012	45	208 (3 withdrawal judgments included)
2013	109	181 (13 withdrawal judgments included)
2014	57	148 (10 withdrawal judgments included)
2015	85	126
2016	56	221
2017	86	100
2018	85	128

Table 6

United Nations Dispute Tribunal applications received, disposed of and pending, as reported, by duty station, 2009–2018

<i>Year</i>	<i>Applications received</i>			<i>Applications disposed of</i>			<i>Applications pending (end of year)</i>		
	<i>Geneva</i>	<i>Nairobi</i>	<i>New York</i>	<i>Geneva</i>	<i>Nairobi</i>	<i>New York</i>	<i>Geneva</i>	<i>Nairobi</i>	<i>New York</i>
2009	108	74	99	57	19	22	51	55	77
2010	120	80	107	101	59	76	70	76	108
2011	95	89	97	119	59	93	46	106	112
2012	94	78	86	106	76	78	34	108	120
2013	75	96	118	77	103	145	32	101	93
2014	209	115	87	67	128	125	174	88	55
2015	182	190	66	285	127	68	71	151	53
2016	215	92	76	147	163	91	139	80	38
2017	127	137	118	108	100	60	158	118	96
2018	127	132 ^a	89 ^b	124 ^c	116 ^d	77 ^e	161	134	109
Total	1 352	1 083	943	1 191	950	866	–	–	–

^a Includes 10 transfers from Geneva and 1 transfer from New York.

^b Includes 10 transfers from Geneva and 10 transfers from Nairobi.

^c Includes 10 transfers to New York and 10 transfers to Nairobi.

^d Includes 10 transfers to New York.

^e Includes one transfer to Nairobi.

(b) Number of judgments, orders and court sessions

32. Table 7 lists the total numbers of judgments, orders and court sessions from 1 July 2009 to 31 December 2018, broken down by duty station. Applications were disposed of by way of judgment or order; a judgment or order may dispose of more than one application. The number of judgments in 2018 does not include nine “judgments on withdrawal” of applications by applicants. These judgments on withdrawal do not contain a decision on a dispute pending between parties: they note the withdrawal and decide to close the case. One such withdrawal judgment was issued in Geneva and eight were issued in New York. The Dispute Tribunal’s former practice of closing a case by judgment after the applicant has withdrawn the application, which had ended in April 2014, re-emerged in November 2018 and has continued into 2019. In November and December 2018, the practice added nine withdrawal judgments to 128 other Tribunal judgments in 2018. Between April 2014 and November 2018, cases in which the applicant had withdrawn the application were closed by orders. Judgments issue decisions on disputes, but with the withdrawal of a case by the applicant, there is no dispute to be adjudicated. Processing withdrawals as judgments or as orders results in inconsistency in terms of recording, trend analysis, use of resources and reflection of workload. There is also the risk of double-counting cases: for example, the Ombudsman could resolve a case through mediation, while the Tribunal may consider such a case to be an adjudication of the dispute through issuance of a judgment. To enhance accuracy of reporting, the Registries are currently examining a means of proposing a standardization of the closure of cases following withdrawal by the parties so that such closures cannot be mistaken for judicial disposals.

Table 7
United Nations Dispute Tribunal judgments, orders and court sessions, as reported, by duty station, 2009–2018

Year	Judgments				Orders				Court sessions ^a			
	Geneva	Nairobi	New York	Total	Geneva	Nairobi	New York	Total	Geneva	Nairobi	New York	Total
2009	44	20	33	97	39	26	190	255	21	33	118	172
2010	83	52	82	217	93	248	338	679	54	116	91	261
2011	86	52	81	219	224	144	304	672	54	117	78	249
2012	79	65	64	208	172	183	271	626	24	88	75	187
2013	41	67	73	181	201	219	355	775	32	114	72	218
2014	37	67	44	148	197	275	355	827	31	119	108	258
2015	48	40	38	126	272	405	315	992	58	66	68	192
2016	64	107	50	221	250	501	285	1 036	55	60	68	183
2017	35	46	19	100 ^b	262	219	282	763	97	71	43	211
2018	48 ^b	56	24 ^b	128 ^b	207 ^c	193	258 ^c	658 ^c	88	55	27	170
Total	565	572	508	1 417	1 917	2 413	2 953	7 283	514	839	748	2 101

^a A “court session” is an aggregate unit used to ensure consistency among the three Registries supporting the Dispute Tribunal in reporting on hearings. A hearing may consist of up to three daily court sessions (morning, afternoon, evening) and may be held over several days. The court sessions included 81 “case management discussions”.

^b These figures do not include withdrawal judgments, which do not adjudicate a dispute. Such decisions are included with the orders.

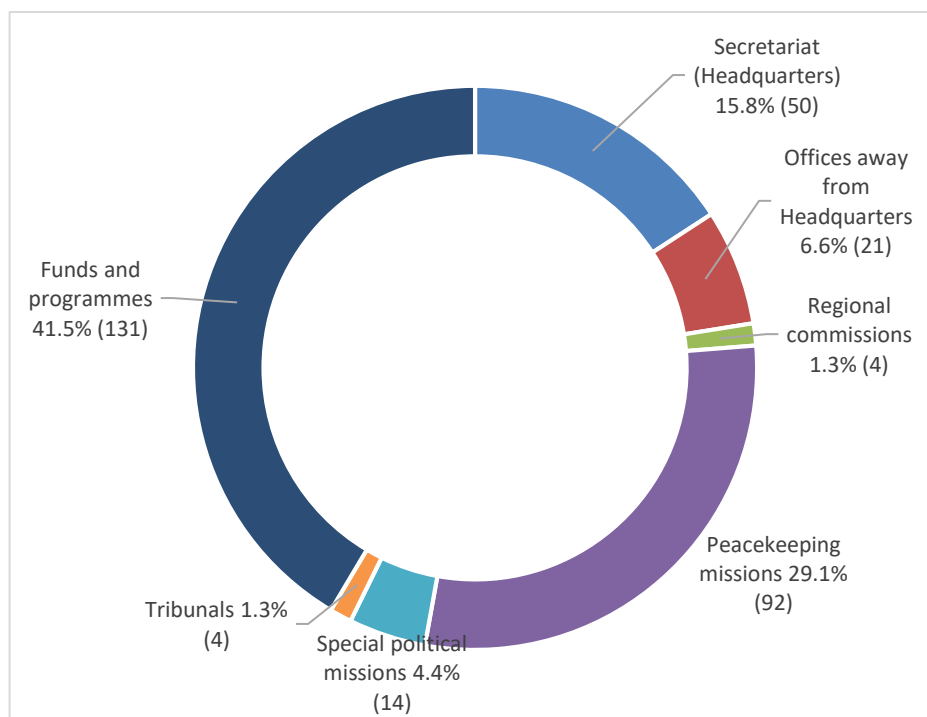
^c These figures include orders that disposed of applications (82 suspension-of-action orders, decisions closing withdrawn cases and 32 inter-Registry transfers (one Registry supporting the Dispute Tribunal closes them and another one reopens them at another location)), as well as 357 case management orders, 35 orders related to extension of time and 78 miscellaneous orders.

(c) Sources of applications

33. The categories of applicants who filed in 2018 were as follows: Director (14); Professional (168); General Service (69); Field Service (32); Security (6); National Officers (10); and others (17).

34. The 316 new applications received in 2018 were filed by the staff members of a number of United Nations entities, as illustrated in figure I.

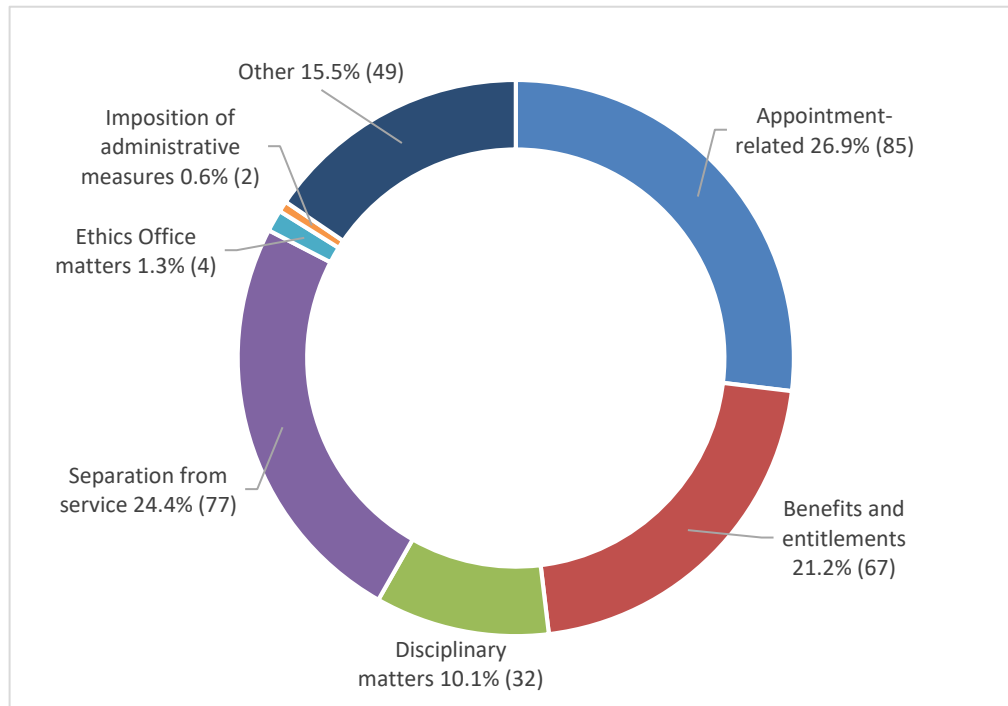
Figure I
Breakdown of applications by entity of the staff member



(d) Subject matter of applications

35. Applications received in 2018 fell into five main categories: (a) benefits and entitlements; (b) appointment-related matters (non-selection, non-promotion and related matters); (c) separation from service (non-renewal and other separation-related matters); (d) disciplinary matters; and (e) other (including among other matters, Ethics Office matters and imposition of administrative measures), as illustrated in figure II.

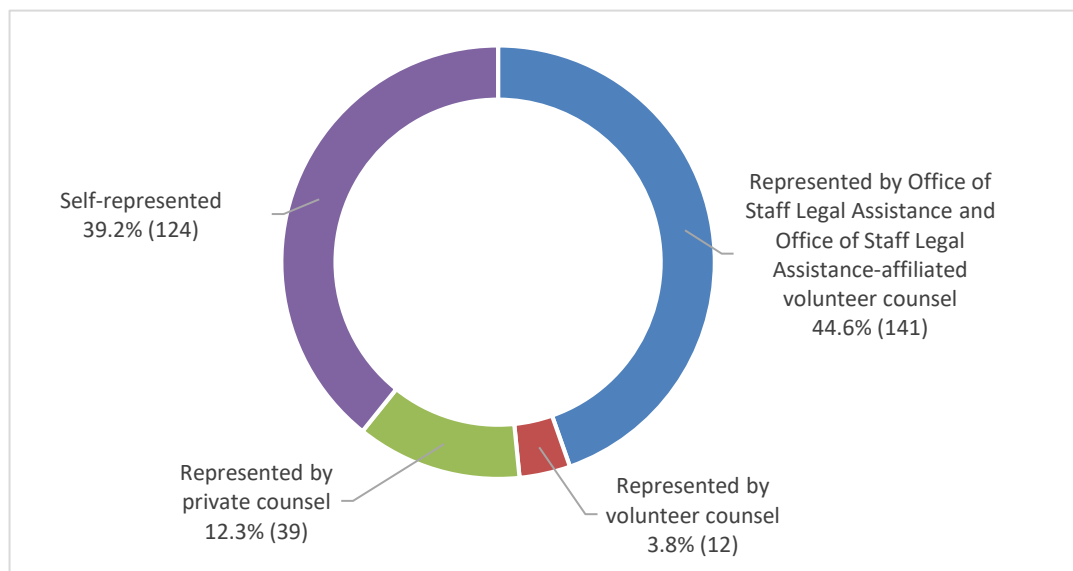
Figure II
Applications received, by subject matter



(e) **Representation of staff members**

36. The Office of Staff Legal Assistance, volunteers who were either current or former staff members of the Organization, and private counsel provided representation before the Dispute tribunal in most applications received in 2018, as illustrated in figure III.

Figure III
Representation of staff members



(f) Informal resolution

37. As a result of case management by the Dispute Tribunal leading to informal settlement, referrals by the Tribunal to mediation by the Office of the United Nations Ombudsman and Mediation Services, withdrawal by applicants following informal settlement *inter partes* and resolution by other means, a total of 44 applications pending before the Tribunal were resolved without the need for a final adjudication on the merits.

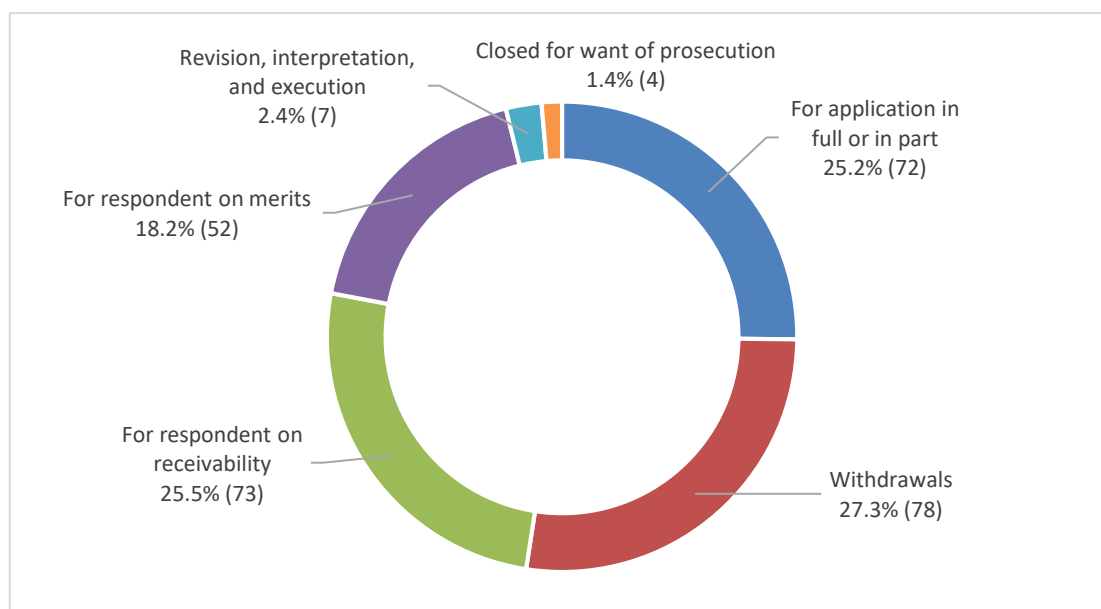
(g) Referral for mediation

38. In 2018, 13 applications were referred from the Dispute Tribunal under article 10 (3) of its statute to the Office of the United Nations Ombudsman and Mediation Services for mediation. Two applications pending in 2018 before the Tribunal were successfully mediated and the applications withdrawn in 2018.

(h) Outcomes

39. The outcomes of the 285 applications disposed of by the Dispute Tribunal in 2018, including applications for suspension of action, are illustrated in figure IV. The applications that were informally resolved or withdrawn while they were pending before the Tribunal are included under “Withdrawals”.

Figure IV

Outcome of applications disposed of**(i) Referral for accountability**

40. The Dispute Tribunal made one referral for accountability under article 10 (8) of its statute (judgement UNDT/2018/71). The referral was brought to the attention of the Secretary-General, who requested relevant officials of the Organization to take appropriate action.

D. United Nations Appeals Tribunal

1. Composition

41. The United Nations Appeals Tribunal was composed of six judges in 2018 and until 30 June 2019: Judge Dimitrios Raikos (Greece), Judge Sabine Knierim (Germany), Judge Martha Halfeld Furtado de Mendonça Schmidt (Brazil), Judge Richard Lussick (Samoa), Judge Deborah Thomas-Felix (Trinidad and Tobago) and Judge John Raymond Murphy (South Africa). On 1 July 2019, the terms of Judges Lussick and Thomas-Felix concluded. The mandates of the newly elected judges, Graeme Colgan (New Zealand), Jean-François Neven (Belgium) and Kanwaldeep Sandhu (Canada), commenced on 1 July 2019.

42. In October 2018, Judge Raikos was elected President, effective 1 January 2019, for a one-year term. Judges Knierim and Halfeld were elected as First and Second Vice-Presidents, respectively, and complete the membership of the bureau of the Appeals Tribunal for 2019.

43. The Appeals Tribunal has jurisdiction to hear appeals filed against a judgment rendered by the Dispute Tribunal in which it is specifically asserted that the Dispute Tribunal: (a) exceeded its jurisdiction or competence; (b) failed to exercise the jurisdiction vested in it; (c) erred on a question of law; (d) committed an error in procedure, which was such as to affect the decision of the case; or (e) erred on a question of fact, resulting in a manifestly unreasonable decision. The Appeals Tribunal is also the appeals body for a number of organizations and institutions that are not part of the United Nations Secretariat or the funds and programmes.

44. Further information regarding the Appeals Tribunal, including its jurisdiction, is provided in annex I.

2. Judicial work

(a) Sessions

45. The Appeals Tribunal held three two-week sessions in 2018: a spring session (11–22 March 2018), a summer session (18–29 June 2018) and a fall session (15–26 October 2018).

(b) Caseload

46. In 2018, 84 new cases⁸ were received and 89 cases were disposed of. As at 1 January 2018, 40 cases were pending. On 31 December 2018, 35 cases remained pending. Table 8 lists the numbers of cases received, disposed of and pending for 2018 and previous years, as well as the number of interlocutory motions received.

⁸ Cases include appeals against Dispute Tribunal judgments and against decisions taken by the heads of entities and the United Nations Joint Staff Pension Board; and applications for interpretation, revision and correction.

Table 8
Appeals Tribunal cases received, disposed of and pending and interlocutory motions received, as reported, 2009–2018

<i>Year</i>	<i>Cases received</i>	<i>Cases disposed of</i>	<i>Cases pending</i>	<i>Interlocutory motions received</i>
2009	19	— ^a	19	—
2010	167	95	91	26
2011	96	104	83	38
2012	142	103	122	45
2013	125	137	110	39
2014	137	146	101	84
2015	191	145	147	81
2016	170	221	96	45
2017	88	152	40	40
2018	84	89	35	38
Total	1 219	1 192	—	436

^a The Appeals Tribunal did not hold a session in 2009; it held its first session in the spring of 2010.

(c) Sources of cases

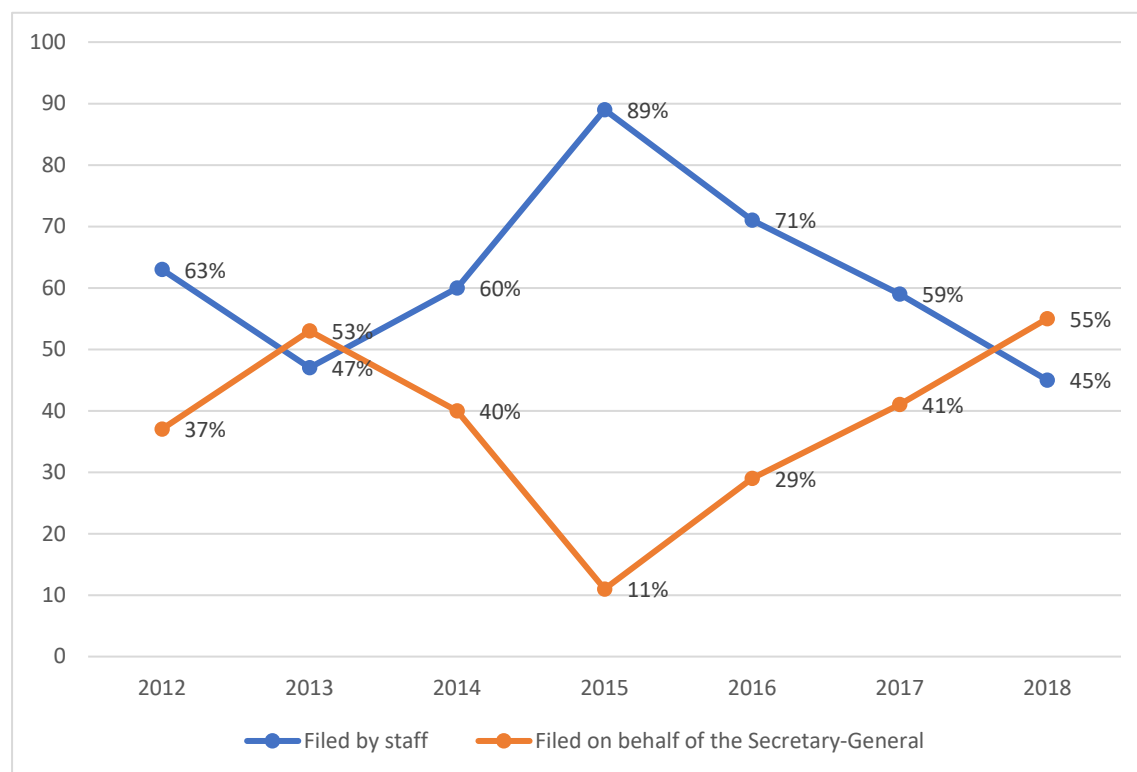
47. The 84 new cases filed in 2018 included 53 appeals against judgments of the Dispute Tribunal (24 filed by staff members and 29 filed on behalf of the Secretary-General); 21 appeals against judgments rendered by the Dispute Tribunal of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) (18 filed by staff members and 3 on behalf of the Commissioner-General); 2 appeals against decisions of the Standing Committee acting on behalf of the United Nations Joint Staff Pension Board; 3 appeals against decisions of the Secretary-General of the International Civil Aviation Organization (ICAO); 1 appeal against a decision of the Secretary-General of the International Seabed Authority; and 1 appeal against a judgment of the former United Nations Administrative Tribunal. They also included two applications for revision of Appeals Tribunal judgments and one application for interpretation of a judgment of the Appeals Tribunal.

48. The proportion of Dispute Tribunal judgments appealed to the Appeals Tribunal fluctuates from year to year. In 2018, the figure was 38.2 per cent. The proportion of incoming appeals against Dispute Tribunal judgments that form part of the caseload of the Appeals Tribunal similarly fluctuates from year to year. Between 2012 and 2016, appeals against judgments of the Dispute Tribunal made up from 71 to 87 per cent of the caseload of the Appeals Tribunal. As the number of judgments of the Dispute Tribunal dropped to 100 and 128 in 2017 and 2018, respectively, this proportion dropped to 61 per cent in 2017 and 63 per cent in 2018.

49. The proportion of appeals against judgments of the Dispute Tribunal filed by staff members changed from 2017 to 2018, as did the proportion of those filed on behalf of the Secretary-General. In 2017, 59 per cent of the appeals were filed by staff members and 41 per cent on behalf of the Secretary-General, while in 2018, 45 per cent of the appeals were filed by staff members and 55 per cent on behalf of the Secretary-General.

50. Figure V compares the proportion of appeals filed against judgments of the Dispute Tribunal by staff compared with the proportion of those filed on behalf of the Secretary-General, yearly over the period 2012–2018.

Figure V
Proportion of appeals filed against Dispute Tribunal judgments by staff versus the proportion filed on behalf of the Secretary-General, 2012–2018



51. Table 9 presents a breakdown of Appeals Tribunal judgments, orders and hearings for the period 2009–2018.

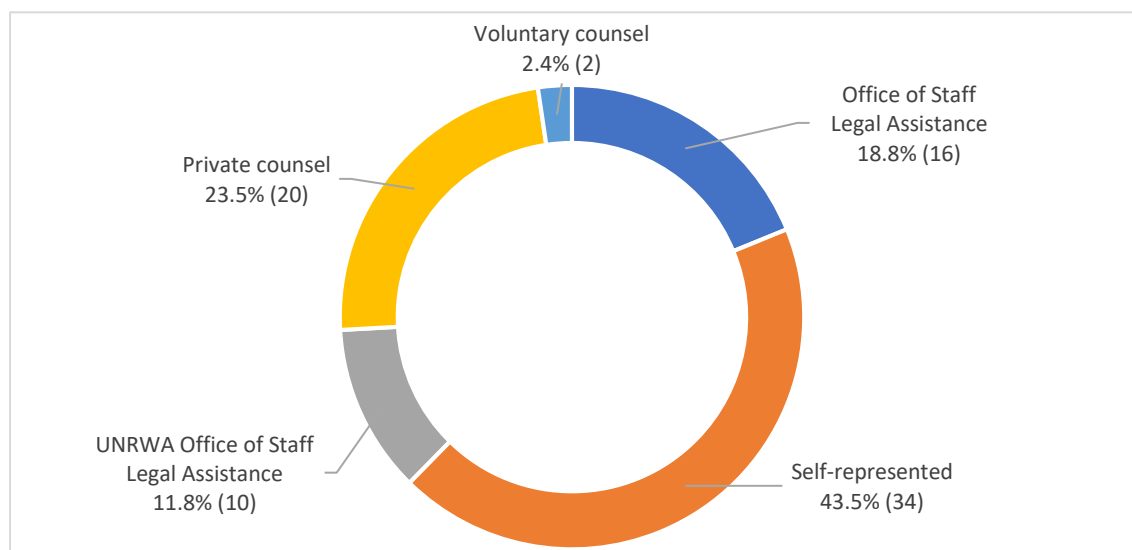
Table 9
Appeals Tribunal judgments, orders and hearings as reported, 2009–2018

<i>Year</i>	<i>Judgments</i>	<i>Orders</i>	<i>Hearings</i>
2009	—	—	—
2010	102	30	2
2011	88	44	5
2012	91	45	8
2013	115	47	5
2014	100	42	1
2015	114	39	2
2016	101	27	2
2017	100	31	0
2018	86	31	0
Total	897	336	25

(d) Representation of staff members

52. Figure VI provides a breakdown of the representation of staff before the Appeals Tribunal.

Figure VI
Breakdown of the representation of staff members for all Appeals Tribunal cases, 2018



(e) Outcomes

53. In 2018, the Appeals Tribunal disposed of 89 cases by judgment and closed 2 cases by judicial order.

(f) Relief

(i) Appeals against United Nations Dispute Tribunal judgments

54. Overall, of the 54 appeals against 51 judgments, the Appeals Tribunal dismissed 32 appeals, granted 18 appeals in full and granted 4 appeals in part. The Appeals Tribunal remanded one case to the Dispute Tribunal. Specifically, regarding appeals filed by the Secretary-General, the Appeals Tribunal granted 17 appeals in full, 4 appeals in part, dismissed 3 appeals and remanded one case to the Dispute Tribunal. With regard to appeals from staff members, the Appeals Tribunal granted 1 in full and dismissed 29.

55. Of the 51 Dispute Tribunal judgments appealed, the Appeals Tribunal vacated 17 Dispute Tribunal judgments in full and 6 in part and affirmed 27. In one case, the Appeals Tribunal remanded the case to the Dispute Tribunal without a ruling on the merits.

56. In 12 cases, the Appeals Tribunal vacated the Dispute Tribunal's rescission order and in 1 case, the Appeals Tribunal ordered rescission of the contested administrative decision on appeal. In four cases, the Appeals Tribunal vacated the specific performance order of the Dispute Tribunal; and in four cases, the Appeals Tribunal ordered specific performance on appeal where none had been ordered by the Dispute Tribunal. In 4 cases, the Appeals Tribunal decreased the financial compensation ordered by the Dispute Tribunal; and in 13 cases, the Appeals Tribunal vacated the financial compensation ordered by the Dispute Tribunal. Overall, only a limited proportion of Dispute Tribunal judgments is appealed (38.2 per cent in 2018). Dispute Tribunal judgments can be appealed only on the narrow grounds of appeal established under article 2 (1) of the statute of the Appeals Tribunal. The burden is on the appellant to demonstrate that the Dispute Tribunal judgment should be overturned. An appeal is not a new trial and the appellant (staff member or Secretary-General) must prove that the Dispute Tribunal erred on a question of law or on a question of

fact, committed an error in procedure or exceeded its jurisdiction or failed to exercise that jurisdiction properly, otherwise the appeal will fail.

(ii) *Appeals against decisions by the Secretary-General of ICAO*

57. The Appeals Tribunal dismissed three appeals against decisions by the Secretary-General of ICAO.

(iii) *Appeal against a decision by the Registrar of the International Court of Justice*

58. The Appeals Tribunal dismissed one appeal against a decision by the Registrar of the International Court of Justice.

(iv) *Appeal against a decision by the Registrar of the International Tribunal for the Law of the Sea*

59. The Appeals Tribunal dismissed one appeal against a decision by the Registrar of the International Tribunal for the Law of the Sea.

(v) *Appeals against decisions of the Standing Committee of the United Nations Joint Staff Pension Board*

60. The Appeals Tribunal granted one appeal in part and dismissed one appeal against a decision of the Standing Committee of the United Nations Joint Staff Pension Board.

(vi) *Appeals against judgments of the UNRWA Dispute Tribunal*

61. The Appeals Tribunal dismissed 16 appeals against judgments of the UNRWA Dispute Tribunal. The Appeals Tribunal granted three appeals and in one of those cases, the case was remanded to the UNRWA Dispute Tribunal. In two cases, the appeals were granted in part.

(vii) *Appeal against a judgment of the former United Nations Administrative Tribunal*

62. The Appeals Tribunal dismissed one appeal against a judgment of the former United Nations Administrative Tribunal.

(g) Referral for accountability

63. In 2018, the Appeals Tribunal made no referrals for accountability pursuant to article 9 (5) of its statute.

E. Office of Staff Legal Assistance

64. The Office of Staff Legal Assistance provides a wide range of legal services to staff, as detailed in annex I.

Workload

65. The overall trend has been an increase in the workload of the Office since its establishment in 2009, as illustrated in table 10. In 2018, the Office received 3,216 new requests for assistance, and closed 2,483 requests through settlement or otherwise.

Table 10

Treatment of requests for legal assistance received by the Office of Staff Legal Assistance, 2009–2017^a

<i>Year</i>	<i>Summary advice</i>	<i>Management evaluation matters</i>	<i>Representation before the Dispute Tribunal</i>	<i>Representation before the Appeals Tribunal</i>	<i>Disciplinary matters</i>	<i>Other</i>	<i>Total</i>	<i>Pending requests</i>
2009	171	62	168	13	155	31	600	377
2010	309	90	77	39	70	12	597	261
2011	361	119	115	21	55	10	681	293
2012	630	198	96	31	46	28	1 029	234
2013	491	116	70	33	37	18	765	213
2014	798	210	102	15	44	11	1 180	222
2015	830	196	415	16	33	12	1 502	278
2016	1 006	319	71	322	35	3	1 756	232
2017	1 190	1 132	1 761	8	50	6	4 147	1 896
2018	1 187	975 ^b	918 ^c	17	94	25	3 216	1 965
Total	6 973	3 417	3 793	515	550	156	15 473	–

^a “Summary advice” refers to requests of varying nature, which often result in the resolution of the dispute. This involves gathering information, conducting legal research, identifying the strengths and weaknesses of a case and advising the client on options for seeking redress and likely outcomes. “Management evaluation” refers to requests involving consultations and provision of legal advice to staff members, drafting of management evaluation requests, holding discussions with management and negotiating settlements. Under “disciplinary matters”, the Office provides assistance to staff members regarding allegations of misconduct under the Staff Rules and Staff Regulations of the United Nations. “Representation before the United Nations Dispute Tribunal” and “Representation before the United Nations Appeals Tribunal” refer to requests whereby the Office holds consultations and provides legal advice to staff members, drafts submissions on their behalf, provides legal representation at oral hearings, holds discussions with opposing counsel and, to the extent possible, negotiates settlements. “Other” refers to advice and assistance in respect of submissions and processes before other formal bodies and representation of staff in mediation.

^b As there were 813 requests for management evaluation which were grouped as 11 management evaluation requests, the actual total number of management evaluation requests filed amounted to 173. The Office counts each staff member client as representing a separate “request for assistance”.

^c As a total of 813 individual applications were grouped into 14 cases by the Dispute Tribunal, the actual total number of Dispute Tribunal applications proceeding was 119. The Office counts each staff member client as constituting a separate “request for assistance”.

66. The increase in workload in 2017 and 2018 can be explained in part by the emergence of a number of group cases in which a large number of staff approached the Office in respect of the same administrative decision.

67. The majority (68 per cent) of requests for assistance in 2018 related to benefits and entitlements, reflecting some significant changes made to the staff salary and benefits package that had come into effect in 2017 as well as significant post adjustment changes in Geneva.

68. While the Office receives a very large number of requests for assistance, it should be noted that only a small proportion of those requests proceed to the Tribunals. In 2018, the Office filed 173 requests for management evaluation and 119 applications to the Dispute Tribunal and represented staff in eight proceedings before the Appeals Tribunal. Overall, 50 per cent of cases (excluding the group cases) were resolved informally or otherwise disposed of without recourse to any formal mechanism at all.

F. Legal offices representing the Secretary-General as respondent

1. Representation before the United Nations Dispute Tribunal

Various legal offices in the Secretariat and separately administered funds and programmes⁹

69. Various legal offices in the Secretariat and the separately administered funds and programmes represent the Secretary-General in written and oral proceedings before the Dispute Tribunal, as detailed in annex I. In addition, as the representative of the Secretary-General, the offices are often engaged in efforts to resolve disputes informally through settlement discussions, which at times include the Office of the United Nations Ombudsman and Mediation Services. When the Dispute Tribunal judgment becomes executable, the office concerned also ensures the implementation of the judgment, which means that the office continues to handle a case after adjudication by the Tribunal. During 2018, the offices representing the Secretary-General handled 720 applications brought by staff from the Secretariat and the separately administered funds and programmes.

2. Representation of the Secretary-General before the United Nations Appeals Tribunal

Office of Legal Affairs

70. As the central legal service of the United Nations, the Office of Legal Affairs provides legal advice to the Secretary-General, as well as the principal and subsidiary organs of the United Nations, including the departments and offices of the Secretariat and the separately administered funds and programmes. Such advice concerns all activities and operations of the Organization, including the system of administration of justice. As detailed in annex I, the functions of the Office in this area are multifaceted and involve the analysis of all judgments of the Tribunals. The Office reviewed all 223 judgments of the Tribunals that were rendered in 2018.

71. In addition, the Office is responsible for representing the Secretary-General before the Appeals Tribunal for all United Nations entities. This involves, inter alia, the preparation of written submission and oral advocacy at hearings. In 2018, the Appeals Tribunal rendered 57 judgments in cases in which the Secretary-General was a party.

⁹ Secretariat: Appeals and Accountability Section in the Office of Human Resources at Headquarters (which comprises the Appeals Unit and the Disciplinary Unit), the Legal Unit of the Human Resources Management Service at the United Nations Office at Geneva and at the United Nations Office at Nairobi. Separately administered funds and programmes and other entities: United Nations Development Programme (UNDP), United Nations Environment Programme (UNEP), United Nations Population Fund (UNFPA), Office of the United Nations High Commissioner for Refugees (UNHCR), United Nations Children's Fund (UNICEF), United Nations Office for Project Services (UNOPS), United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), Economic Commission for Africa (ECA), United Nations Human Settlements Programme (UN-Habitat).

III. Responses to questions related to the administration of justice

A. Overview

72. In resolution [73/276](#), the General Assembly made a number of requests for consideration at its seventy-fourth session. The responses to those requests are set out below.

B. Responses

Requests from the General Assembly

Outreach

73. In response to the requests contained in paragraphs 7 and 8 of resolution [73/276](#) concerning outreach, the Office of Administration of Justice continued to implement the outreach strategy with the aim of raising awareness and improving knowledge of the staff regarding the internal justice system, including staff in field locations. The outreach strategy contemplates multimedia and multi-stakeholder approaches to dissemination of information, as well as face-to-face engagements at headquarters locations or through mission-related travel. In addition to utilizing the Office of Administration of Justice website, the Office also seeks to include or embed information on the formal system in training and outreach activities of other actors, such as the ethics offices of the United Nations Secretariat, the funds and programmes and entities, the Office of the United Nations Ombudsman and Mediation Services, including the funds and programmes and UNHCR, human resources offices, staff representatives and offices providing support to peacekeeping operations. The Office also utilizes the support of the Executive Office of the Secretary-General to communicate with heads of agencies and entities to encourage dissemination of information from the executive leadership to each staff member in their respective organization.

74. Since 2018, the Office of Administration of Justice, including the Office of the Executive Director, the Office of Staff Legal Assistance, the Principal Registrar and the Registries supporting the Appeals Tribunal and the Dispute Tribunal, sometimes in collaboration with and at the invitation of staff representatives, have conducted more than 35 outreach briefings and events for groups of staff members and managers, including onboarding sessions for newly recruited staff, at a wide range of field and main locations, including Addis Ababa, Amman, Brindisi, Entebbe, Goma, Kinshasa, Naqoura, Nairobi, New York, Nicosia, The Hague and Valencia. At some of these events (such as those in Naqoura and Nicosia), the Office of Staff Legal Assistance held clinics with staff members. As part of the strategy, information is provided, on a regular basis, on the intranets of organizations, in particular iSeek, which has featured a specific Office of Administration of Justice page since 25 October 2017 and posted three articles in 2018 with topical information provided by the Office of the Executive Director of the Office of Administration of Justice on a range of topics. The Department for General Assembly and Conference Management disseminated information on the new website of the internal justice system through its social media accounts.

75. In addition to the outreach efforts of the Office of Administration of Justice, in 2018, over 220 information sessions, including town hall meetings, were globally led, or participated in, by the Office of the United Nations Ombudsman and Mediation Services and about 140 workshops for building skills related to conflict competence

were conducted by the Office of the Ombudsman. More information is available in the report of the Secretary-General on the activities of the Office of the Ombudsman (A/74/171). The Management Evaluation Unit continued to engage in outreach efforts mainly through briefings, participation in training sessions and initiation sessions; and also provided guidance in response to ad hoc queries in 2018 from managers and administrators, as well as queries from staff seeking assistance on matters related to the internal system justice. Similarly, the Ombudsman for the funds and programmes advises staff during outreach activities of both the formal and informal avenues for achieving dispute resolution and has embedded information on the formal component of the system in its 47 town hall presentations and 34 training sessions held in 27 countries in 2018 and early 2019.

76. The handbook entitled “A staff member’s guide to resolving disputes” was revised in 2018 and, in 2019, made available in all six official languages of the United Nations. The Guide uses clear language, which is comprehensible to a layperson, to explain how the internal system of administration of justice at the United Nations works; and offers an overview of both informal and formal avenues for conflict resolution, promotes informal resolution as a first step, offers step-by-step guidance related to the formal processes and related timelines, and provides information on how legal advice can be obtained from the Office of Staff Legal Assistance, among other types of key information. It can be accessed on the home page of the internal justice system website (www.un.org/en/internaljustice/). Hard copies of the Guide can be obtained from the Office of Administration of Justice.

77. To ensure that all staff, including those in the field, are made aware of the Guide, on 22 March 2019, the Chef de Cabinet requested the Secretariat, funds and programmes and other entities to inform their staff of the availability of the Guide by sending a broadcast message to the inbox of every staff member. Additionally, the Department of Operational Support has requested all peacekeeping and special political missions, offices away from Headquarters and regional commissions to include the Guide in induction programmes and to make it available on internal web pages. In a parallel effort, the Executive Director of the Office of Administration of Justice contacted staff unions and associations across the Secretariat, the funds and programmes and entities and requested that they share the Guide with their constituencies. In addition, the Office of Administration of Justice, through an article posted on the global Organization-wide intranet page, invited all staff members to familiarize themselves with the Guide. The ethics offices of the Secretariat and the funds and programmes were also requested to include the Guide in their outreach activities for staff and to include links to the Guide on their respective websites. The Ombudsman provided extensive support to the Office of Administration of Justice, through regional offices of the ombudsman, in distributing hard copies of the Guide in the various languages, on a broad geographical basis. The ombudsman for the funds and programmes also supported dissemination of the Guide among those entities. Hard copies are made available to stakeholders for distribution, upon request.

78. The Office of Administration of Justice is currently overhauling the system used for managing Dispute Tribunal and Appeals Tribunal cases. This project will include changes to and upgrading of the technical platform for alignment with the United Nations information technology strategy as regards applications and information security, resulting in a more robust and up-to-date application. The solutions found will encompass improved reporting and monitoring capabilities, allowing the Registries to better track and manage their cases; a more streamlined and easier-to-use system which can be easily navigated by first-time users and functions with a wide range of Internet browsers; more efficient transfer of appealed cases from the Dispute Tribunal to the Appeals Tribunal; a more comprehensive collection of case data for better reporting and monitoring; added functionality to enable group cases to

be addressed; and a more efficient basic case management functionality, enabling files to be moved, deleted and imported more efficiently and allowing the access to files to be controlled more efficiently as well. It is expected that the launch of the overhauled version will be held by the end of 2019.

Root causes of conflict

79. The response of the Secretary-General to the observations contained in the report on the activities of the Office of the United Nations Ombudsman and Mediation Services, as requested in paragraph 9 of resolution [73/276](#), is provided in annex III.

Regulatory framework

80. With respect to effective remedies for all staff who may have been subjected to prohibited conduct, as requested in paragraph 10 of General Assembly resolution [73/276](#), progress was made in 2018 and early 2019 in giving further effect to the Secretary-General's commitment to achieving a harmonious work environment free from harassment, including sexual harassment; discrimination; and abuse of authority. In November 2018, the United Nations System Chief Executives Board for Coordination approved a type of model policy on sexual harassment for United Nations system entities. The model applies a victim-centred approach emphasizing the provision of support to the complainant, including during a robust formal resolution process, possible recourse through the informal mechanism and a commitment to prevention, including training thereon. In addition, a staff-management working group has been meeting for the purpose of revising the current policy followed by the Secretariat on the prohibition of discrimination; harassment, including sexual harassment; and abuse of authority, as set out in Secretary-General bulletin [ST/SGB/2008/5](#) issued on 11 February 2008. The revision will reflect the position agreed to in the meeting of the Chief Executives Board and will serve as the basis for a further enhancement of the Secretariat's response to prohibited conduct. It is also to be noted that the Assembly authorized the establishment of six new investigator posts within the Office of Internal Oversight Services in order to enable allegations of sexual harassment to be addressed. As a result, during 2018, the number of sexual harassment investigations referred for possible disciplinary action within the Secretariat increased significantly, from 4 in 2017 to 16 in 2018 (see the report of the Secretary-General ([A/74/64](#)) for further information on his practice during 2018 in disciplinary matters and cases of possible criminal behaviour). Also, during 2018, the Office of Internal Oversight Services and the Office of Human Resources ran week-long training sessions for potential members of investigatory panels in Nairobi, Geneva and New York within the context of the aforementioned Secretary-General bulletin [ST/SGB/2008/5](#). Three further training sessions will be held in 2019 and early 2020.

81. With respect to paragraph 11 of resolution [73/276](#) – wherein the General Assembly requested the Secretary-General to report on how retaliation against staff members who lodged cases before the United Nations Dispute Tribunal and the United Nations Appeals Tribunal or who appeared as witnesses was being addressed – it is to be noted that such retaliation constitutes misconduct pursuant to staff rule 1.2 (g). Accordingly, such retaliation, as reported and once established through investigation, is subject to disciplinary measures. Consideration is also being given to including such activity before the Tribunals under the provisions of the soon-to-be-revised Secretary-General bulletin on the prohibition of discrimination, harassment, including sexual harassment, and abuse of authority ([ST/SGB/2008/5](#)). Under the revised policy, it is proposed that heads of offices of the Secretariat be given prevention, monitoring and protection responsibilities. Precise wording would be introduced into the revised policy, subject to consultation with staff and management representatives and approval

by the Office of Legal Affairs. In addition, witnesses giving testimony on cases involving reports of misconduct and staff members cooperating with duly authorized audits or investigations may already fall within the ambit of the protection provided by the Ethics Office under Secretary-General bulletin [ST/SGB/2017/2/Rev.1](#) on protection against retaliation for reporting misconduct and for cooperating with duly authorized audits or investigations. Finally, the judges of the Tribunals have a duty to protect witnesses under the judicial code of conduct.

Informal dispute resolution

82. Matters raised by the General Assembly in paragraphs 14, 16 and 18 of resolution [73/276](#) are addressed in a separate report, namely, on the activities of the Office of the United Nations Ombudsman and Mediation Services ([A/74/171](#)).

Accountability of managers for gross negligence

83. In paragraph 20 of resolution [73/276](#), the General Assembly requested the Secretary-General to ensure the accountability of managers whose decisions had been established to be grossly negligent, according to the applicable Staff Regulations and Rules of the United Nations, and which had led to litigation and subsequent financial loss, and to be report thereon to the Assembly. Accountability for gross negligence is one element of the overall framework of accountability of managers, which includes disciplinary, criminal and administrative mechanisms. The practice of the Secretary-General in disciplinary matters and cases of possible criminal behaviour, including those involving managers, for the period from 1 January to 31 December 2018, is set out in document [A/74/64](#), as noted above. In addition, managers, like other staff members, are subject to administrative mechanisms, such as the performance appraisal system. The leadership team of the United Nations Secretariat is required to complete senior manager compacts.

84. Managers may also be required, pursuant to staff rule 10.1 (b), to reimburse the United Nations for financial loss suffered as a result of their grossly negligent actions that constitute misconduct. However, an adverse outcome in a Tribunal judgment leading to an award of compensation should not necessarily be understood as reflecting an instance of gross negligence leading to financial loss. The standard of gross negligence is a significant threshold: gross negligence is an extreme form of negligence, requiring a conscious and voluntary disregard of the need to use reasonable care. During the reporting period, there were no findings that a manager had been grossly negligent in a decision leading to litigation and subsequent financial loss.

Trends and statistics in the system

85. The observations of the Secretary-General in respect of the trends and statistics within the system, as requested by the General Assembly in paragraphs 22 and 25 of resolution [73/276](#), are provided in section II above.

Case disposal plan and related initiatives

86. In reference to paragraph 24 of resolution [73/276](#), in which the General Assembly requested the President of the Dispute Tribunal and the Principal Registrar of the Dispute Tribunal and the Appeals Tribunal to work together to develop and implement a case disposal plan with a real-time case-tracking dashboard and performance indicators on the disposal of caseloads, in early January 2019, the Principal Registrar provided to the new President of the Dispute Tribunal an overview of the ageing structure of all 404 applications pending with the Dispute Tribunal on 31 December 2018. As illustrated in table 11 and figure VII, 50.74 per cent of the

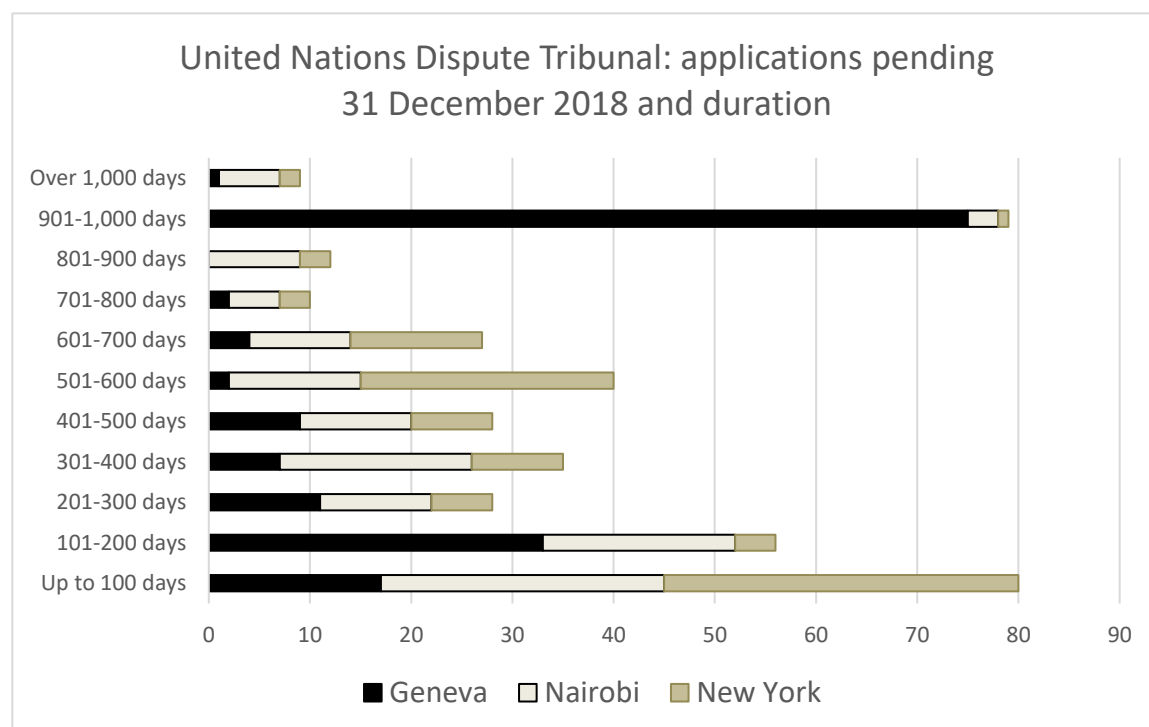
caseload, representing 205 cases, had been pending for 401 days or longer. These ageing cases are the focus of a case disposal plan, coupled with the Dispute Tribunal targets for the number of judgments to be delivered every month, as set by the President. The President established these targets in January 2019 and reassigned two group cases that had been pending over 401 days. In implementing Assembly resolution 73/276, paragraph 24, two half-time judges were deployed to New York during the first half of 2019. A provisional version of a dashboard has been developed, providing real-time information on the number of pending cases at any location and their ageing, and the number of disposed cases. Further implementation has not been completed as a result of issues associated with the Dispute Tribunal presidency. Following implementation of the case disposal plan, on 18 June 2019, the Dispute Tribunal caseload was reduced by 29.45 per cent, from 404 on 31 December 2018 to 285; and the caseload pending over 401 days on 31 December 2018 was reduced by 52.68 per cent, from 205 to 97 cases.

Table 11

Ageing cases pending before the United Nations Dispute Tribunal as at 31 December 2018, as reported

<i>Location</i>	<i>Up to 100 days</i>	<i>101–200 days</i>	<i>201–300 days</i>	<i>301–400 days</i>	<i>401–500 days</i>	<i>501–600 days</i>	<i>601–700 days</i>	<i>701–800 days</i>	<i>801–900 days</i>	<i>901–1,000 days</i>	<i>Over 1,000 days</i>	<i>Total pending cases</i>
Geneva	17	33	11	7	9	2	4	2	0	75	1	161
Nairobi	28	19	11	19	11	13	10	5	9	3	6	134
New York	35	4	6	9	8	25	13	3	3	1	2	109
Total	80	56	28	35	28	40	27	10	12	79	9	404

Figure VII

Ageing cases pending before the United Nations Dispute Tribunal as at 31 December 2018, as reported

87. Target numbers have been established for issuance of judgments and for the Registries with respect to supporting the target number of judgments. Monthly reports are used to track judgments and disposals of cases.

88. With a view to enhancing the efficiency and transparency of the Dispute Tribunal, the following observations, which could be implemented through a revision of the statute or the rules of procedure of the Tribunal, are proposed for the consideration of the General Assembly. In line with the views of the Sixth Committee (see the letter dated 13 November from the President of the Assembly to the Chair of the Fifth Committee (A/C.5/73/11), para. 9), the Assembly may wish to consider whether all judicial directions by the Tribunal that are of general application should be published and thus made available to all stakeholders, including the Assembly.

Self-representation before the Dispute Tribunal

89. In reference to paragraph 27 of resolution 73/276, in which the General Assembly noted the continuing high degree of self-representation before the Dispute Tribunal and requested the Secretary-General to take forward, within existing resources, his proposals to provide guidance to self-represented applicants and to enhance their understanding of, and their ability to utilize, the system and mitigate efficiency concerns, the Office of Administration of Justice created a toolkit for self-represented applicants, which was issued and posted on the website of the internal justice system in May 2019. A survey was included with a view to eliciting feedback from staff, which could be used to enhance the utility of the toolkit in future iterations. The Office is currently working with the Office of Information and Communications Technology to make the toolkit more user-friendly through the use of multimedia in order to better inform staff members' decisions regarding whether to file a case and, if so, how.

Voluntary supplemental funding mechanism for the Office of Staff Legal Assistance

90. In paragraph 28 of resolution 73/276, the General Assembly decided to extend the experimental voluntary supplemental funding mechanism for the Office of Staff Legal Assistance for three years, until 31 December 2021, and requested the Secretary-General to continue to provide updates within the context of future reports. Data relating to staff contributions to the mechanism and opt-out rates are provided in annex IV.

91. In order to strengthen incentives for staff not to opt out of the voluntary supplemental funding mechanism and raise awareness among them of the importance of financial contributions to the Office of Staff Legal Assistance, as addressed in paragraphs 30 and 31 of General Assembly resolution 73/276, in June 2019, the Chef de Cabinet wrote to all heads of departments, offices and entities, including members of the United Nations System Chief Executives Board for Coordination, that have access to the services of the Office of Staff Legal Assistance, to strongly encourage support for the voluntary supplemental funding for the Office. The inclusion of a form along with the communication constituted a concrete measure aimed at providing staff members who had previously decided to opt out of the funding mechanism but had since reconsidered based on the encouragement they had received with an easy means of assuring their participation in the mechanism.

92. Notwithstanding these efforts, the Secretary-General recalls the concern, which he has expressed previously, that the costs associated with the Office of Staff Legal Assistance, as currently established and mandated, constitute "expenses of the Organization" to be borne by Member States in accordance with Article 17, paragraph 2, of the Charter of the United Nations. Accordingly, these efforts are without

prejudice to a final determination on whether expenditures incurred pursuant to the Office's mandate constitute "expenses of the Organization" within the context of the Charter's meaning.

Remedies available to non-staff personnel

93. In paragraph 46 of resolution [73/276](#), the General Assembly requested the Secretary-General to prepare a comprehensive analysis of the remedies available to non-staff personnel, including their effectiveness, and efforts that could be made to prevent disputes and to resolve existing disputes *inter partes*, as well as the identification of good practices, drawing on information and proposals contained in his reports submitted to the Assembly at its sixty-sixth, sixty-seventh, seventy-second and seventy-third sessions ([A/66/275](#) and Corr.1, annex II; [A/67/265](#) and Corr.1, annexes IV–VI; [A/72/204](#), annex II; and [A/73/217](#), paras. 96–105, respectively).

94. Information on disputes for the period 2009–2016 (i.e., number of cases, applicable framework, modes of dispute resolution and practical measures for resolving disputes) has been provided for each of the categories of non-staff personnel engaged by the Secretariat, the funds and programmes and other United Nations entities in annex II of the Secretary-General's report [A/72/204](#). Based on this information, a comprehensive analysis of the remedies available to non-staff personnel, including a proposal to offer non-staff personnel access to the informal dispute resolution services of the Office of the United Nations Ombudsman and Mediation Services, has been provided in the Secretary-General's report [A/73/217](#) (paras. 96–105).

95. Five initiatives, aimed at improving prevention and resolution of disputes involving non-staff personnel, are currently under implementation or are being proposed. Descriptions are provided directly below:

(a) The Human Resources Services Division of the Department of Operational Support of the Secretariat is in the process of developing a study on the use of non-staff personnel within the Secretariat. The study will allow the Secretariat to better understand the operational benefits and risks associated with the use of non-staff personnel in each non-staff category. Following the study, the Division will prepare a report providing guidance on consistency and standardization of practices, which would inform future consideration of dispute prevention and resolution mechanisms for non-staff;

(b) The Secretariat, the funds and programmes and other United Nations entities have formed a working group to consider efforts that could be undertaken to prevent disputes, which would include reviewing contract forms and contract management practices and determining how best to revise them so as to prevent any disputes that might arise from contract implementation, interpretation and management;

(c) In resolution [73/276](#), the General Assembly requested the Secretary-General to establish, within existing resources, a pilot project to offer access to informal dispute-resolution services to non-staff personnel; decided that the pilot project would not affect the mandate of the Office of the United Nations Ombudsman and Mediation Services; and requested the Secretary-General to establish both quantitative and qualitative analysis in assessing the current and projected workload arising from services to non-staff personnel, including type of grievances and the efficiency of case management, and to provide any recommendations in that regard (paras. 16–18). The requested information is provided in a separate report of the Secretary-General on the activities of the Office (see [A/74/171](#)). The information covers a three-month period, from inception of the project on 1 January 2019. This

and further information from the project will assist the working group referenced in paragraph (b) above in its considerations of issues;

(d) In his reports [A/66/275](#) and Corr.1 (annex II) and [A/67/265](#) and Corr.1 (annex IV), the Secretary-General submitted a proposal for implementing a mechanism for expedited arbitration procedures for consultants and individual contractors, including a cost estimate for engaging a neutral entity which would, inter alia, vet arbitrators, promulgate and maintain a roster of arbitrators, appoint an arbitrator when a party initiates arbitration and provide certain administrative functions during an arbitration. Drawing on experience gained in handling formal dispute resolution involving non-staff personnel since the proposal was made in 2012, the Secretary-General proposes to explore more cost-effective means of engaging a neutral entity to undertake the above role;

(e) The Secretariat is also in the process of reviewing formal policies and issuances concerning the engagement of consultants and individual contractors. This effort includes a review of the dispute resolution provision, drawing on good practices with the aim of making the remedy available to non-staff personnel more expedient and cost-effective. The revised dispute resolution mechanism will seek to draw on cost-neutral features of the expedited arbitration procedures for consultants and individual contractors as proposed in annex II of document [A/66/275](#) and Corr.1 and annex IV of document [A/67/265](#) and Corr.1.

IV. Other matters

Compensation awards

96. Information on compensation paid in 2018 in accordance with recommendations of the Management Evaluation Unit, compensation awarded by the Tribunals in 2018 and compensation paid in 2018 in respect of previous awards made by the Tribunals is set out in annex V to the present report.

Implication of the United Nations Appeals Tribunal judgment in the Ozturk case

97. The Secretary-General would like to call the attention of the General Assembly to the recent jurisprudence regarding the Organization's voluntary actions with respect to unpaid family support orders issued by national courts. Since 1999, Secretary-General bulletin [ST/SGB/1999/4](#), entitled "Family and child support obligations of staff members", has provided a framework for the Organization with respect to taking voluntary action to "ensure effective relief [to third parties] when staff members fail to comply with family support court orders". Upon receipt of a final family support court order, the Organization will request the staff member to submit proof of compliance. If such proof is not submitted within 30 days, the Organization will commence deductions from the staff member's United Nations emoluments in respect of the amounts ordered and the amounts deducted will be paid to the family member(s) concerned. Mindful that the amounts stated in the family support orders reflect the considered view of national judicial authorities, the practice of the Organization has been to make voluntary deductions of the amounts reflected in the family support orders.

98. In the Ozturk judgment, issued in October 2018, the United Nations Appeals Tribunal noted that staff rule 3.18 (c) (iii) provides that the Secretary-General "may" make deductions and held that, consequently, the language of the Staff Rules allows the Administration to exercise discretion when making deductions. The Appeals Tribunal found that the proper exercise by the Administration of such discretion

entails “taking into consideration all relevant factors and, if need be, ... varying the deductions made from the staff member’s salary or other emoluments.”¹⁰ The Appeals Tribunal therefore considered that the policy set out in [ST/SGB/1999/4](#) of deducting the amounts reflected in national family support court orders was at odds with the Administration’s discretionary authority and that the Administration had an obligation to inquire whether the amounts ordered by national courts were reasonable. Accordingly, following the issuance of the Appeals Tribunal judgment in Ozturk, the Administration is now required, before making a deduction, to examine a range of factors in order to assess the reasonableness of the amount of family support ordered by national courts. These factors include whether the staff member or his or her counsel participated in the court proceedings; whether the staff member is subject to other family support court orders, and the total amounts ordered; and the impact of the family support court orders on the financial situation of the staff member, including whether the deduction of the amounts ordered by the national court could have the effect of depriving the staff member of the amount needed for the staff member’s own subsistence.¹¹

99. In view of the United Nations Appeals Tribunal judgement, the Secretary-General will be proposing an amendment to staff rule 3.18 (c).

Abolishment of the ad litem judge position in the Dispute Tribunal in New York

100. In paragraph 38 of its resolution [73/276](#) of 22 December 2018, the General Assembly had decided not to extend the ad litem judge position in New York which expired on 31 December 2018. On 26 December 2018, the incumbent ad litem judge submitted a request for medical leave, seeking to utilize this entitlement beyond 31 December 2018. Compensation for full-time judges includes the “[s]ame sick leave as staff members of the United Nations holding fixed-term appointments of the same duration” (see in this regard the report of the Secretary-General [A/63/314](#) – in particular the annex thereto, entitled “Compensation for judges of the United Nations Dispute Tribunal” – as approved by the Assembly in paragraph 30 of its resolution [63/253](#)). (The Assembly had last extended the ad litem judge position for one year in its resolution [72/256](#), para. 32.) Staff members of the United Nations holding fixed-term appointments are entitled to an extension of the appointment for utilization of their sick leave entitlement. Pursuant to paragraph 3.9 of administrative instruction [ST/AI/2005/3](#), entitled “Sick leave”, “[w]hen a staff member on a fixed-term appointment is incapacitated for service by reason of an illness that continues beyond the date of expiration of the appointment, he or she shall be granted an extension of the appointment, after consultation with the Medical Director or designated medical officer, for the continuous period of certified illness up to the maximum entitlement to sick leave at full pay and half pay under [current staff rule 6.2]”. The Medical Services Division approved the certified sick leave. The appointment of the ad litem judge was accordingly administratively extended until 28 February 2019. The extension entailed the incurring of a cost of \$36,548.64 under non-staff compensation.

¹⁰ United Nations Appeals Tribunal Judgment No. 2018-UNAT-892, para. 32.

¹¹ United Nations Appeals Tribunal Judgment No. 2018-UNAT-892, para. 33; United Nations Dispute Tribunal Judgment No. [2018/055](#), para. 67.

V. Conclusions and actions to be taken by the General Assembly

101. The Secretary-General considers that the proposals contained herein would enhance the effectiveness of administration of justice at the United Nations.

102. Accordingly, the Secretary-General requests the General Assembly to take note of the information provided in this report.

Annex I

Overview of the internal justice system and stakeholders in the system

A. Introduction

1. The present internal system of administration of justice addressing employment-related disputes at the United Nations was established by the General Assembly in its resolutions [61/261](#), [62/228](#) and [63/253](#). The system came into operation on 1 July 2009. The Assembly decided, in its resolution [61/261](#), that the system would be independent, transparent, professionalized, adequately resourced and decentralized and that it would operate in a manner consistent with the relevant rules of international law and the principles of the rule of law and due process to ensure respect for the rights and obligations of staff members and the accountability of managers and staff members alike.
2. The system comprises two avenues for the resolution of employment-related disputes: informal and formal.
3. The informal component of the system refers to confidential, off-the-record and impartial assistance by the Office of the United Nations Ombudsman and Mediation Services to help reach informal resolution of concerns and disputes related to employment at any stage, even after formal mechanisms have been pursued.
4. The formal component refers to the objective and reasoned management review of a contested administrative decision and to a two-tier judicial structure: the first instance United Nations Dispute Tribunal and the appellate United Nations Appeals Tribunal.
5. Whether action is taken within the formal or informal component, or both, staff members of the United Nations have the right to legal assistance and advice from the Office of Staff Legal Assistance which, in cases with a reasonable chance of success, also provides legal representation before the Tribunals.
6. In addition to the informal and formal methods of resolving work-related disputes, there are also other sources of support that staff members can turn to if they are seeking resolution of a work-related dispute or having a problem at the office. These include peer support, programme managers, human resources, ethics offices, staff unions and associations, and the Staff Counsellor.

B. Management evaluation function

7. The first step in the formal process for contesting an administrative decision alleged to be in non-compliance with the staff member's terms of appointment or contract of employment is to request management evaluation. In the United Nations Secretariat, management evaluations are carried out by the Management Evaluation Unit in the Office of the Under-Secretary-General for Management Strategy, Policy and Compliance. The separately administered United Nations funds, programmes and entities carry out management evaluations through their own administrative structures.
8. Management evaluation involves an objective review of the contested decision by legal staff who were not part of the decision-making process. Based on this review, the Management Evaluation Unit or the relevant office in the separately administered funds, programmes and entities provides a recommendation to the Under-Secretary-General for Management Strategy, Policy and Compliance or the corresponding

management executive in the United Nations fund, programme or entity, who decides if the contested administrative decision was made in accordance with the legal framework of the Organization. If the management evaluation concludes that the contested decision was made improperly, the staff member is provided with a remedy, which could include changing the decision. In appropriate cases, at the management evaluation review stage, options may be considered to resolve the matter informally, including referral of the case to the Ombudsman.

9. The management evaluation has two main purposes: (a) to give management a chance to review a decision being contested by a staff member; and (b) to reduce the number of overall cases that proceed to litigation before the United Nations Dispute Tribunal. The Management Evaluation Unit also prepares and disseminates guides with lessons learned from the Tribunals' jurisprudence for managers to contribute to better and more consistent decision-making.

10. A management evaluation is a mandatory first step in the formal process, unless: (a) the contested decision involves the imposition of a disciplinary or non-disciplinary measure pursuant to staff rule 10.2 following the completion of a disciplinary process; or (b) the decision was taken based on the advice of technical bodies. In such cases, an application contesting an administrative decision may be made to the Dispute Tribunal without first having to request a management evaluation.

C. United Nations Dispute Tribunal

1. About the Tribunal

11. The United Nations Dispute Tribunal is competent to decide on applications by staff members and former staff members of the United Nations, including the United Nations Secretariat and the separately administered United Nations funds and programmes, regarding employment-related administrative decisions. The applications are filed against the Secretary-General.

12. The Dispute Tribunal operates on a full-time basis. It comprises nine professional independent judges, three full-time and six half-time. It is supported by Registries in New York, Geneva and Nairobi.

2. Applicant and respondent

13. The applicants before the Dispute Tribunal may decide to represent themselves, to be represented by volunteers who are either current or former staff members of the Organization or by external private counsel (at their own cost, if any) or to avail themselves of legal assistance and advice from the Office of Staff Legal Assistance.

14. The Secretary-General is represented before the Dispute Tribunal by the Appeals and Accountability Section of the Office of Human Resources and other legal officers in offices away from Headquarters, funds and programmes, and regional commissions.

D. United Nations Appeals Tribunal

1. About the Tribunal

15. Judgments or orders by the United Nations Dispute Tribunal may be appealed by either the staff member who has filed the case or by the Secretary-General to the United Nations Appeals Tribunal.

16. In addition to deciding appeals against judgments and interlocutory orders of the Dispute Tribunal (under article 2.1 of the statute of the Appeals Tribunal), the Appeals Tribunal is competent to decide appeals against decisions of the Standing Committee acting on behalf of the United Nations Joint Staff Pension Board alleging non-observance of the Regulations of the United Nations Joint Staff Pension Fund (under article 2.9 of the statute of the Appeals Tribunal) and appeals against judgments and decisions in connection with entities that have concluded special agreements with the Secretary-General (under article 2.10 of the statute of the Appeals Tribunal): the United Nations Relief and Works Agency for Palestine Refugees in the Near East, the International Civil Aviation Organization, the International Court of Justice and the International Maritime Organization.

17. The statute of the Appeals Tribunal allows for appeals under specified circumstances, where it is alleged that the Dispute Tribunal or another first instance entity has either exceeded its jurisdiction or failed to exercise it or that it has committed an error on a question of fact or law or procedure.

18. The Appeals Tribunal is composed of seven professional independent judges, and its Registry is based in New York. It is not a full-time tribunal; it normally holds three sessions a year, each of two-week duration.

2. Appellant and respondent

19. Appeals against a judgment of the Dispute Tribunal or another entity may be filed by either party (i.e., the applicant or a person making claims in the name of an incapacitated or deceased applicant, or the respondent).

20. As before the Dispute Tribunal, the applicants may elect to be self-represented, represented by volunteers who are either current or former staff members of the Organization or by external private counsel (at own cost, if any), or legally assisted by or, in cases with a reasonable chance of success, represented by the Office of Staff Legal Assistance.

21. Before the Appeals Tribunal, the Secretary-General is represented by the Office of Legal Affairs of the Secretariat.

E. Office of Administration of Justice

22. The Office of Administration of Justice was established at the outset of the system with the rationale that a separate Office of Administration of Justice, with operational and budgetary autonomy, would ensure the institutional independence of the system of internal justice.

23. The Office of Administration of Justice is an independent office responsible for the overall coordination of the formal components of the United Nations internal justice system and for contributing to its functioning in a fair, transparent and efficient manner.

24. The Office of Staff Legal Assistance (without prejudice to its operational independence) and the Registries of the Tribunals are all part of the Office of Administration of Justice. With its headquarters in New York, the Office of Administration of Justice also has a presence in Geneva and Nairobi, through the Dispute Tribunal Registries and the branch offices of the Office of Staff Legal Assistance, and in Addis Ababa and Beirut, through the branch offices of the Office of Staff Legal Assistance.

25. The Office of Administration of Justice prepares annual activity reports, which provide an overview of the work of the Office and aggregate data on the work of the

Tribunals and of the Office of Staff Legal Assistance. The reports also include summaries of notable legal pronouncements by the Tribunals on a range of subjects. The reports can be accessed at the website of the Office of Administration of Justice (www.un.org/en/internaljustice/).

1. Office of the Executive Director

26. The Executive Director of the Office of Administration of Justice, appointed by the Secretary-General, heads the Office and is responsible for reporting on systemic issues relating to the administration of internal justice and recommending changes to regulations, rules and other administrative issuances that would improve the functioning of the system. The Executive Director is also responsible for disseminating information regarding the formal system and for ensuring the provision of assistance to the Internal Justice Council.

2. Registries

27. The Registries of the Tribunals provide substantive, technical and administrative support to the Dispute Tribunal and the Appeals Tribunal.

28. The Dispute Tribunal has three Registries, located in Geneva, Nairobi and New York, respectively. The Appeals Tribunal has a Registry located in New York. Each Registry is headed by a Registrar, who is responsible, under the authority of the Principal Registrar and without prejudice to the authority of the judges of the respective Tribunal in relation to judicial matters, for the management and proper functioning of the Tribunal in the relevant duty station.

29. The Principal Registrar is responsible for overseeing the activities of the Registries of the Dispute Tribunal and the Registry of the Appeals Tribunal, also without prejudice to the authority of the judges of the Tribunals in relation to judicial matters.

3. Office of Staff Legal Assistance

30. The Office of Staff Legal Assistance is a team of professional full-time lawyers, experts in employment and administrative law and trained litigators, who provide legal assistance and advice to staff members, former staff members and their beneficiaries in an independent and impartial manner. In cases with a reasonable chance of success, the Office also provides legal representation before the Tribunals.

31. The Office of Staff Legal Assistance assists United Nations staff worldwide, at all levels, across a spectrum of employment matters that is broad in its scope. These include non-appointment, termination, claims of discrimination, harassment or abuse of authority, pension benefits, disciplinary and misconduct cases and other rights and entitlements under the Staff Rules.

32. The Office provides a wide range of legal services to staff, including summary legal advice, advice and representation during informal dispute resolution and the mediation process, assistance with the management evaluation review and during the disciplinary process. At any stage of a dispute, or even in anticipation of a dispute, a staff member may seek advice and assistance. The Office can advise on the legal merits of a case and the options the staff member might have. If a staff member chooses to proceed with a case in the formal system, the Office is available to assist throughout the process and, unless the case is unlikely to succeed, will provide representation before the Tribunals and other recourse bodies.

33. United Nations system staff members will not incur any direct personal legal fees at any time for the assistance provided by the Office, whether for advice while seeking an informal resolution of a dispute or, later in the process, for advice and

representation if the staff member decides to go through the formal process. This legal service is financed by the United Nations and supplemented by staff members through a voluntary contribution mechanism. All staff are encouraged to contribute.

34. The Office has a presence at Headquarters in New York, as well as in Geneva, Nairobi, Addis Ababa and Beirut.

F. Legal offices representing the Secretary-General as respondent

1. Representation before the United Nations Dispute Tribunal

35. Various legal offices in the Secretariat and the separately administered funds and programmes represent the Secretary-General in written and oral proceedings before the United Nations Dispute Tribunal.¹ This entails filing written submissions on legal and factual issues, reviewing written submissions from the staff member who filed the case and appearing at case management discussions and hearings on the merits, which involves leading evidence from witnesses and making submissions on a broad range of subjects. In addition, as the representative of the Secretary-General, the offices are often engaged in efforts to resolve the dispute informally through settlement discussions, which at times include the Office of the United Nations Ombudsman and Mediation Services. Once a Dispute Tribunal judgment is issued, the office representing the Secretary-General provides input to the Office of Legal Affairs on whether the judgment should be appealed and the draft submissions of the Office of Legal Affairs on appeal. When the judgment becomes executable, the office concerned ensures the implementation of the judgment, which means that the office continues to handle a case after adjudication by the Dispute Tribunal.

2. Representation before the United Nations Appeals Tribunal

36. As the central legal service of the United Nations, the Office of Legal Affairs provides legal advice to the Secretary-General, as well as the principal and subsidiary organs of the United Nations, including the departments and offices of the Secretariat and the separately administered funds and programmes. Such advice concerns all activities and operations of the Organization, including the system of administration of justice. The functions of the Office in this area involve the analysis of all judgments of the Tribunals to form a comprehensive understanding of the jurisprudence in the system of administration of justice. The Office draws on this analysis to: (a) advise on claims by staff; (b) advise the entities representing the Secretary-General before the Dispute Tribunal; (c) decide whether to appeal judgments of the Dispute Tribunal; and (d) advise the principal and subsidiary organs of the United Nations.

37. In addition, the Office is responsible for representing the Secretary-General before the Appeals Tribunal for all United Nations entities. This responsibility encompasses both the filing of appeals against judgments of the Dispute Tribunal and responding to appeals filed by staff members. It also involves filing motions and responses to motions, as well as oral advocacy at hearings before the Appeals Tribunal. The Office further advises on the implementation of judgments, on their

¹ The Secretariat: the Appeals and Accountability Section in the Office of Human Resources at Headquarters (which comprises the Appeals Unit and the Disciplinary Unit), the Legal Unit in the Human Resources Management Service at the United Nations Office at Geneva and at the United Nations Office at Nairobi; the separately administered funds and programmes and other entities: United Nations Development Programme, United Nations Environment Programme, United Nations Population Fund, Office of the United Nations High Commissioner for Refugees, United Nations Children's Fund, United Nations Office for Project Services, United Nations Entity for Gender Equality and the Empowerment of Women, Economic Commission for Africa, United Nations Human Settlements Programme.

implications and on whether specific policies need to be revised in view of the Tribunals' jurisprudence. On a case-by-case basis, the Office advises the Executive Office of the Secretary-General on referrals for possible action to enforce accountability made to the Secretary-General by the Tribunals.

G. Office of the United Nations Ombudsman and Mediation Services

38. As neutral and independent parties, the United Nations ombudsmen and mediators assist United Nations employees in addressing their work-related concerns and help to resolve conflict through informal means. Using informal means of resolving disputes does not in any way preclude a staff member from bringing a case to the formal component of the system, within applicable deadlines.

39. The guiding principles of ombudsmen and mediators are independence, neutrality, impartiality, confidentiality and informality: an ombudsman or mediator is an independent neutral who will not take sides in a conflict; he or she cannot impose a solution or make a managerial decision; the outcome of the process is entirely controlled by the parties; and all communications in the process are confidential and cannot be disclosed without permission.

40. The Office of the United Nations Ombudsman and Mediation Services offers opportunities to: (a) discuss a problem off-the-record and in confidentiality; (b) explore alternatives for resolving a problem; (c) increase the staff member's ability and confidence to deal with conflict; (d) receive coaching and guidance on how to present an issue or concern. Apart from dispute resolution services, ombudsmen may also promote conflict competence and make recommendations for improvements to the work environment.

41. Mediation is a voluntary process and requires agreement by both parties to take place. By bringing parties together in a strictly confidential setting, a mediator facilitates a meaningful dialogue, allowing each party to feel that they have been heard and helping to uncover their underlying needs and interests, thus heightening the potential for an amicable resolution. The process also helps to repair working relationships, thereby developing a harmonious work environment. The Dispute Tribunal may refer cases for mediation.

42. In addition to the Office of the United Nations Ombudsman and Mediation Services, which serves the Secretariat, there are separate, dedicated ombudsmen and mediation services for the United Nations Development Programme (UNDP), the United Nations Children's Fund (UNICEF), the United Nations Population Fund (UNFPA), the United Nations Office for Project Services (UNOPS), the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) and the Office of the United Nations High Commissioner for Refugees (UNHCR). Ombudsmen for the United Nations separately administered funds, programmes and entities are based in New York and, for UNHCR, in Geneva and Budapest. They provide services to the entire global workforce, including interns, United Nations Volunteers and other non-staff personnel.

43. More information on the Office of the United Nations Ombudsman and Mediation Services is available on its website (www.un.org/en/ombudsman/index.shtml).

H. Internal Justice Council

44. The Internal Justice Council is a body established by the General Assembly with a key role relating to the United Nations internal justice system.

45. The main tasks of the Council are to provide its views and recommendations to the General Assembly regarding candidates to be appointed as judges by the Assembly to the Dispute Tribunal and the Appeals Tribunal and to provide its views to the Assembly regarding the ongoing implementation of the United Nations internal system of administration of justice.

46. The Council is a five-member body consisting of a staff representative, a management representative and two distinguished external jurists, one nominated by the staff and one by management, and chaired by a distinguished jurist chosen by consensus by the other four members.

47. The Council is assisted, as appropriate, by the Office of the Executive Director of the Office of Administration of Justice.

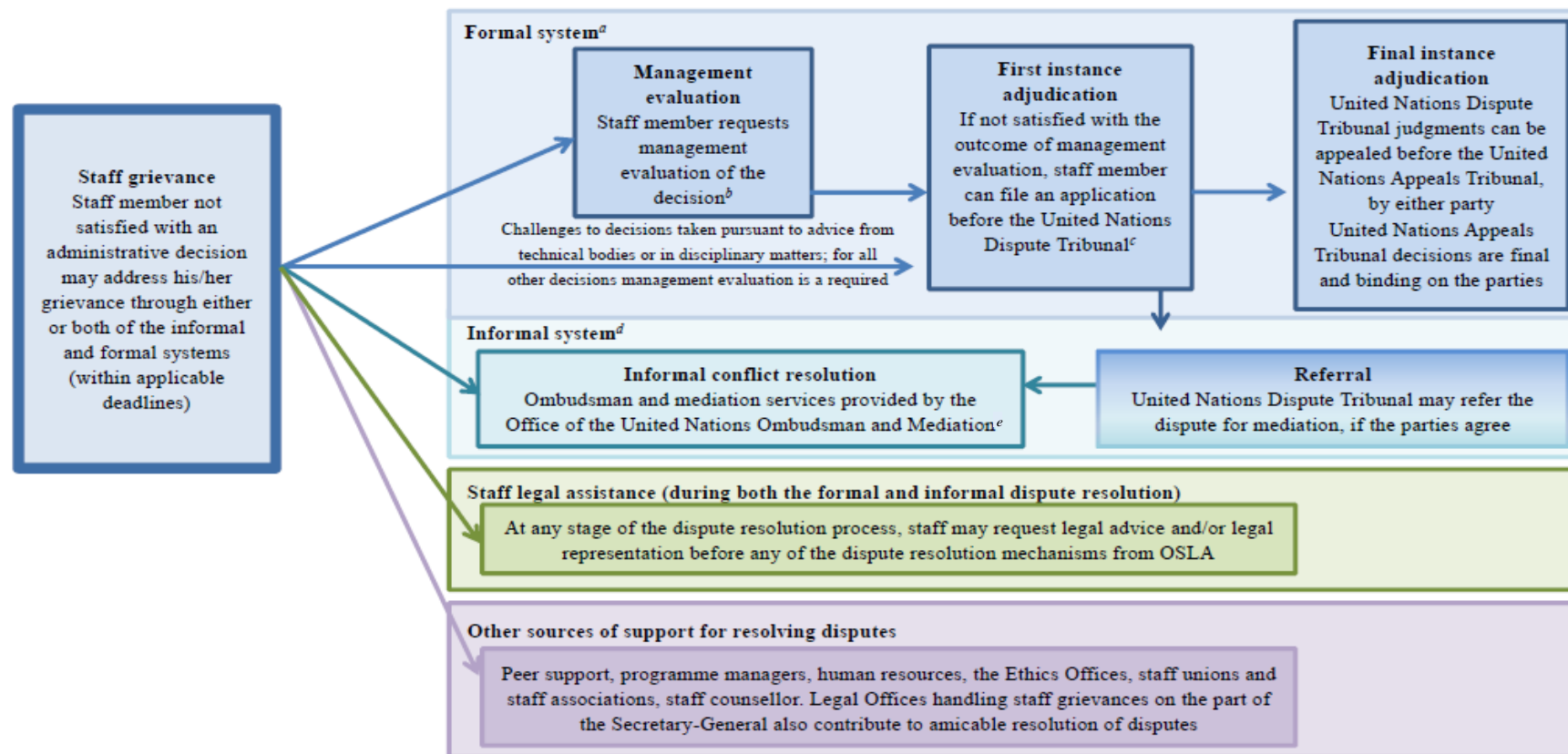
I. Other sources of support for resolving work-related disputes

48. In addition to the informal and formal methods of resolving work-related disputes and grievances, there are other sources of support at the United Nations that a staff member can turn to if they are seeking resolution of a work-related dispute or having a problem at the office. Some of these are: peer support, programme managers, human resources, the ethics offices (United Nations, UNDP, UNFPA, UNHCR, UNICEF, UNOPS), staff unions and staff associations, the Staff Counsellor and the Focal Point for Women in the United Nations.

49. Legal offices handling staff grievances on the part of the Secretary-General also contribute to amicable resolution of disputes, often before the dispute reaches the formal or informal dispute resolution system.

Annex II

United Nations administration of justice flow chart



^a At any time during the formal resolution process, the staff member and decision maker can attempt to resolve the dispute informally, with or without the assistance of the Office of the United Nations Ombudsman and Mediation Services.

^b The evaluation entails an objective and reasoned assessment as to whether the contested decision was made in accordance with the rules. It is conducted by the Management Evaluation Unit for Secretariat entities; United Nations funds and programmes have a similar function. The purpose of this step is to give management a chance to review a decision being contested by a staff member or provide acceptable remedies in cases in which there has been flawed decision-making. The Management Evaluation Unit and the Office of Staff Legal Assistance can also help resolve the dispute informally, with or without the assistance of the Office of the United Nations Ombudsman and Mediation Services.

^c The United Nations Dispute Tribunal hears and decides cases filed by or on behalf of current and former staff members appealing administrative decisions alleged to be in non-compliance with their terms of appointment or contract of employment.

^d Attempts to resolve a dispute informally do not preclude formal resolution (within deadline) if informal resolution is unsuccessful.

^e The Office of the United Nations Ombudsman and Mediation Services includes ombudsman and mediation services for the Secretariat and United Nations funds and programmes.

Annex III

Response of the Secretary-General to the observations contained in the report of the Secretary-General on the activities of the Office of the United Nations Ombudsman and Mediation Services (A/73/167)

A. Introduction

1. The Secretary-General takes note of the observations of the Ombudsman contained in the report of the Secretary-General on the activities of the Office of the United Nations Ombudsman and Mediation Services (A/73/167). The Secretary-General also takes note of the observation of the Ombudsman on the root causes of conflict and systemic issues recurrent in the Secretariat.

2. This report reconfirms that several underlying factors, as observed and previously reported by the Ombudsman, are affecting staff productivity, health and morale, which contribute in turn to an increase in inappropriately expressed conflicts. The report provides opportunities for staff and management to address root causes which stand in the way of a full realization of a civil and harmonious work environment.

B. Performance management and accountability

3. The Secretary-General notes that progress is under way with respect to the opportunities listed in connection with the Organization's performance management and leadership culture. First, a new performance management approach, which follows an approach to performance management aligned with the opportunities identified in this report, is being piloted among several Secretariat teams in 2019. Behavioural change and continuous dialogue between managers and staff throughout a performance cycle, instead of twice per year as under the current approach, are at the core of this approach. In the pilot, managers and staff can co-create workplans and share progress against them. Results to date have shown that this approach stimulates communication online and in person and that teams discuss successes and challenges more frequently. The new approach is built on the premise that leaders and managers need to be held more accountable for their actions, including for how they treat peers and supervisees. Pilot results will inform how the Organization's performance management framework is revised.

4. Addressing opportunities regarding role modelling, leadership and behavioural change as highlighted in the report, the Secretary-General has started an initiative to introduce 360-degree feedback for senior leaders. A number of Assistant Secretaries-General and Under-Secretaries-General participated in a pilot designed to elicit "multi-rater" feedback in the form of ratings and comments from peers, direct reports and indirect reports. This programme was the first of its kind for senior-most leaders in the Organization and was well received by participants. It is providing senior leaders with a better understanding of the impact of their behaviour and how their leadership is perceived throughout the Organization. Pending availability of resources, the Secretary-General is preparing a roll-out plan for extending this programme to a larger group of leaders.

5. The report highlights the opportunity that exists to develop skills for initiating conversations and for reinforcing core values and behavioural competencies. Given the critical role that mandatory learning programmes play in articulating expectations and shaping behaviours and culture, the Office of Human Resources conducted a

detailed analysis of all nine existing mandatory training programmes for all staff in order to enhance the effectiveness and accessibility of current and future training programmes. Pursuant to the recommendations set out in the report, these learning programmes are being reviewed to ensure that they are aligned with the best learning approach, so as to enable achievement of more effective behavioural change. Additionally, a new training programme focused on promoting civility among staff is being developed in collaboration with the Office of the United Nations Ombudsman and Mediation Services. This initiative aims to empower staff to become more engaged and proactive in establishing and maintaining a harmonious and civil working environment. The learning programme will have a blended format composed of online learning activities, in-person training and guidance documents which will be available to complement a range of resources available on the website entitled “Create a harmonious workplace” (<https://hr.un.org/page/create-harmonious-workplace>).

6. Responding to the opportunities available to strengthen leadership skills and behaviours, the Office of Human Resources has developed a new set of leadership and management development programmes based on new leadership competencies in line with the United Nations System Leadership Framework created in 2017. The new programmes aims at building progressive leadership skills, starting at the informal supervisory level (under the “managing your own work” concept) all the way up through senior leadership, ensuring that supervisors and managers build the necessary knowledge and skills to manage their human resources according to the United Nations core values and competencies, as well as create a safe and bias-free work environment for their staff. In particular, two new programmes will be put in place: (a) an executive management programme, to be launched in 2019, which targets Second Reporting Officers; and (b) an e-management certificates programme, to be launched in 2020, which will target First Reporting Officers. Directors continue to utilize the four-day UN Leaders Programme, which in 2019 added coaching sessions for its participants, as well as a half-day follow-up to reinforce and apply the learning. To further provide support to managers and leaders, a leadership and management learning hub is being developed in partnership with the United Nations System Staff College. The digital resources and experiences located on the hub are designed to help managers overcome challenges in the moment and accomplish everyday tasks and responsibilities.

C. Reform implementation and change management

7. With regard to opportunities for supporting reform implementation and change management, the Department of Management Strategy, Policy and Compliance launched the United to Reform learning strategy to enable staff to embrace and support the Secretary-General’s United to reform initiatives. This strategy focuses on four main areas:

(a) Change management: dedicated team workshops are offered and learning problems addressed to facilitate change management and to build capacity of staff to support future change processes;

(b) Skills retooling: a series of learning options are offered to enable staff to acquire required skill sets and deepen their knowledge in specific subject areas so that they can carry out new functions with confidence;

(c) Team-building: custom team-building workshops are offered to facilitate the building of strong and cohesive teams that deliver on new mandates quickly and effectively;

(d) Cross-cutting learning programmes (e.g., on accessibility, innovation and client services): a series of learning options are presented which enable the

development of a set of core values, mindsets and behaviours. It is expected that these will be adopted by everyone as a means of supporting the transformation needed to create the Organization of the future.

8. While the reform is in its early stages, and as envisioned in the Secretary-General's new management reform, the approach to dividing roles and responsibilities will ensure that policy and strategy receive the requisite managerial attention while enabling the development of a culture of service orientation which allows for greater efficiency and client satisfaction. The division of work is critical for accountability. The Department of Management Strategy, Policy and Compliance, through the exercise of its role in developing policies and implementing the new accountability, as delivered by the new Business Transformation and Accountability Division, will ensure a strengthened system of checks and balances and greater, strengthened accountability. As of 1 January 2019, the accountability framework will be accompanied by an enhanced delegation of authority, i.e., managers' exercise of their delegated authority will be closely and systematically monitored by the Business Transformation and Accountability Division. The Division is responsible for managing the system for delegation of authority, including the maintenance of updated official records, as well as for monitoring managers' use of their authority. The Business Transformation and Accountability Division works closely with the Department of Operational Support in assisting managers who have been delegated authority in ensuring their understanding of its parameters, which will prevent possible abuse of that authority, as noted by the Ombudsman.

D. United Nations Staff Engagement Survey

9. To build on strengths and address challenges highlighted in the United Nations Staff Engagement Survey, the Secretary-General has requested and is receiving engagement action plans from all entities covered by the survey. These action plans serve as the basis for the development and implementation of initiatives by each office, aimed at creating, giving value to and maintaining a working environment that enables strong staff engagement and high performance, while at the same time making the Organization a more flexible, adaptable and dynamic workplace. A number of offices are focusing on creating an enabling environment. This includes the United Nations Office at Geneva, which is holding a series of engagement sessions focused on co-creating a vision for the Office, encouraging innovation through risk-taking and highlighting the importance of the exchange of ideas and knowledge between the different teams, as well as on encouraging the building of solutions together under the theme "How we work". Using approaches that work best locally, all offices have embarked on change initiatives for creating an enabling environment and strengthening staff engagement.

E. G to P career progression

10. The Secretariat notes the concerns of the Ombudsman on the career prospects of staff members in the General Service and related categories. The Secretary-General has made a recommendation to the General Assembly, which is under consideration. During consultations, the Secretariat provided the Advisory Committee on Administrative and Budgetary Questions (ACABQ) with evidence that the elimination of the G to P component of the young professionals programme examination (and the removal of the restriction placed on staff members in the General Service and related categories and at the FS-1 to FS-5 levels in the Field Service category to apply for posts in the Professional category) would not have a negative impact on geographical

distribution and that the primary consideration would continue to be merit, with due consideration given to geographical representation.

F. Mental health strategy

11. The United Nations System Workplace Mental Health and Well-being Strategy was launched by the Secretary-General in October 2018 and an implementation board has been established which exercises strategic oversight and provides support for a successful practical and operational implementation of the Strategy. A place on the implementation board has been reserved for a representative of the Office of the United Nations Ombudsman and Mediation Services.

12. The United Nations Ombudsman was a key partner in the development of the Strategy. Findings of the Staff Engagement Survey with regard to the mutually reinforcing relationship between workplace conflict and mental health clearly demonstrate the importance of the continuation of this partnership. The input of the Ombudsman continues to be welcomed during the implementation phase.

13. The Mental Health and Well-being Strategy aims at increasing the effectiveness of the United Nations by optimizing the psychological health of its personnel. It has four strategic thematic goals:

- (a) Create a workplace that enhances mental and physical health and well-being;
- (b) Develop, deliver and evaluate high-quality psychosocial services for United Nations staff wherever they work;
- (c) Welcome and support staff who live with mental health challenges;
- (d) Ensure sustainable funding for services covering mental health and well-being.

To be successful, the five-year Strategy will require change both on the individual level and within the organizational culture and a multifunctional approach. Action has commenced under each of the four themes and progress will be reported on a regular basis.

Annex IV

Monthly opt-out rates and staff contributions under the voluntary supplemental funding mechanism in 2018

(United States dollars)

Entity	January		February		March		April		May		June	
	Opt-out rate (percentage)	Contribution	Opt-out rate (percentage)	Contribution	Opt-out rate (percentage)	Contribution	Opt-out rate (percentage)	Contribution	Opt-out rate (percentage)	Contribution	Opt-out rate (percentage)	Contribution
UNHCR	32.82	11 381.78	32.42	11 732.83	32.46	11 726.27	32.99	11 679.29	32.54	11 850.59	32.13	11 942.90
UNHQ ^a	32.52	47 560.89	32.48	48 238.23	32.32	48 212.88	32.45	48 140.09	32.36	48 222.57	33.99	48 823.01
UNDP	42	15 788.00	42	16 205.00	42	16 070.00	42	15 931.00	42	16 046.00	43	15 210.00
UNICEF	91	2 690.46	91	2 764.34	91	2 726.80	91	2 730.33	49	15 150.30	37	22 043.77
UNOPS	49	1 131.94	49	1 121.63	46	1 147.10	49	1 115.62	49	1 160.37	49	1 113.06
Total		78 553.07		80 062.03		79 883.05		79 596.33		92 429.83		99 132.74
Entity	July		August		September		October		November		December	
	Opt-out rate (percentage)	Contribution	Opt-out rate (percentage)	Contribution	Opt-out rate (percentage)	Contribution	Opt-out rate (percentage)	Contribution	Opt-out rate (percentage)	Contribution	Opt-out rate (percentage)	Contribution
UNHCR	32.57	11 859.12	32.23	11 867.13	31.83	12 504.46	32.22	12 125.64	31.63	12 345.45	31.34	12 481.13
UNHQ ^a	34.27	48 410.70	34.13	48 623.31	34.04	48 958.00	33.8	49 364.60	33.93	49 461.40	34.06	49 450.30
UNDP	43	14 958.10	43	15 069.00	43	15 401.00	42	15 145.37	41	15 260.43	41	15 568.00
UNICEF	39	17 943.71	39	18 197.22	39	18 769.00	39	18 435.89	39	18 548.18	40	18 653.26
UNOPS	49	1 106.84	48	1 126.51	48	1 123.43	49	1 119.76	49	1 143.54	50	1 129.14
Total		94 278.47		94 883.17		96 755.89		96 191.26		96 759.00		97 281.83
Total contributions in 2018											1 006 210.34	

Abbreviations: UNDP, United Nations Development Programme; UNHCR, Office of the United Nations High Commissioner for Refugees; UNHQ, United Nations Headquarters; UNICEF, United Nations Children's Fund; UNOPS, United Nations Office for Project Services.

^a United Nations Headquarters provides information for: United Nations Office at Nairobi, United Nations Office at Geneva, United Nations Office at Vienna, United Nations Headquarters, International Residual Mechanism for Criminal Tribunals, Economic Commission for Africa, Economic Commission for Latin America and the Caribbean, Economic and Social Commission for Western Asia and local staff members in peacekeeping and political missions.

Annex V

Settlement payments recommended by the Management Evaluation Unit and monetary compensation awarded by the Tribunals in 2018 or paid in 2018

A. Settlement payments made in accordance with recommendations of the Management Evaluation Unit^a

<i>Department of decision maker</i>	<i>Compensation</i>	<i>Level of staff member</i>	<i>Amount (United States dollars)</i>	<i>Reason for compensation</i>
UNTSO	9 months' net base salary	FS-4/10	41 022.75	Termination decision not in line with current jurisprudence
UNTSO	Difference between GL-5 and GL-6 over 12 months	GL-5	4 845.96	Settlement in the context of a non-selection decision
DGACM	1 month's net base salary	P-4	7 424.25	Settlement in the context of a non-selection decision
UNIFIL	2 months' net base salary	GL-5/9	8 300.00	Delay in consideration of reclassification
MONUSCO	Fixed amount	GL-3/10	2 500.00	Delay in receipt of pension benefits
MONUSCO	1 month's net base salary	FS-4/13	4 868.50	Settlement in the context of separation from service in a downsizing exercise
MONUSCO	1 month's net base salary	GL-4/10	2 007.91	Settlement in a matter involving separation from service following a downsizing exercise
MONUSCO	Fixed amount	P-3/3	500.00	Delay in payment
MONUSCO	Payment of salary	NO-C/8	13 166.69	Settlement following an error in separation
UNEP	Fixed amount	P-2/13	5 169.00	Settlement in the context of a non-selection decision
UNMIL and RSCE	Fixed amount	G-3/10	4 000.00	Settlement of a claim of mistaken recovery
MINUSCA	Salary (01/01/18–16/08/18)	G-3/6	7 500.00 ^b	Payment of salary in accordance with original terms of appointment
OCHA	Fixed amount	P-2/13	5 000.00	Settlement in the context of a non-selection decision
Total			106 305.06	

Abbreviations: UNTSO, United Nations Truce Supervision Organization; UNIFIL, United Nations Interim Force in Lebanon; FS, Field Service; G, General Service; GL, General Service at non-headquarters duty stations; P, Professional; NO-C, National Professional Officer, level C; MONUSCO, United Nations Organization Stabilization Mission in the Democratic Republic of the Congo; OCHA, Office for the Coordination of Humanitarian Affairs of the Secretariat; UNMIL, United Nations Mission in Liberia; RSCE, Regional Service Centre in Entebbe, Uganda; MINUSCA, United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic; UNEP, United Nations Environment Programme; MICT, International Residual Mechanism for Criminal Tribunals; DGACM, Department for General Assembly and Conference Management.

^a Reflects compensation paid in cases received in 2018 as well as compensation paid in 2018 for cases carried over from 2017.

^b Reflects approximate amount, based on settlement.

B. Monetary compensation awarded by the Tribunals in 2018 or paid in 2018

<i>United Nations Dispute Tribunal judgment No.</i>	<i>Registry</i>	<i>Entity of decision maker</i>	<i>Compensation awarded/costs ordered by the United Nations Dispute Tribunal</i>	<i>United Nations Appeals Tribunal judgment No.</i>	<i>Affirmed/vacated/rejected compensation awarded by the United Nations Appeals Tribunal</i>	<i>Net amount paid (United States dollars, unless otherwise indicated)</i>	<i>Date of payment</i>
UNDT/2016/197	Nairobi	UNMISS	(i) Applicant's human rights were violated (ii) Respondent to pay three months net base salary at the rate applicable on the eviction date (iii) Interest to be paid at US prime rate within 60 days from day that judgment becomes executable, plus an additional 5 per cent after 60 days	—	—	10 400.75	23 March 2018
UNDT/2016/206	Nairobi	UNAMI	(i) Removal of offending references from status file (ii) Compensation of \$3,000 for procedural error (iii) Compensation of \$15,000 for harm suffered	2017-UNAT-774	(i) Affirmed (ii) Vacated (iii) Compensation reduced to \$5,000	5 000.00 192.02	27 September 2018 8 October 2018
UNDT/2017/036	Nairobi	ESCWA	(i) Contract terminated by Administration based on an error (ii) Compensation for moral damages of one month's net base salary for treatment by ESCWA (iii) Compensation for breach of contract in the amount of two months' net base salary	2018-UNAT-810	(i) Affirmed (ii and iii) grounds for compensation modified; compensation of \$8,500 for both grounds of damage awarded	8 500.00	17 July 2018

<i>United Nations Dispute Tribunal judgment No.</i>	<i>Registry</i>	<i>Entity of decision maker</i>	<i>Compensation awarded/costs ordered by the United Nations Dispute Tribunal</i>	<i>United Nations Appeals Tribunal judgment No.</i>	<i>Affirmed/vacated/rejected compensation awarded by the United Nations Appeals Tribunal</i>	<i>Net amount paid (United States dollars, unless otherwise indicated)</i>	<i>Date of payment</i>
UNDT/2017/046	Nairobi	UNSOS	Application dismissed as not receivable (no management evaluation sought)	2018-UNAT- 820	(i) Dispute Tribunal judgment vacated (ii) Applicant entitled to be paid the amount of remuneration he would have received if the Secretary- General had complied with UNDT Order No. 494 (NBI/2016) on suspension of action (iii) Interest as of date of vacated Dispute Tribunal judgment	100 722.72 (a recovery of pension paid to the staff member against the payout is pending)	10 August 2018
UNDT/2017/077	New York	UNDOF	Pay unpaid part of the lump sum portion of assignment grant from 23 March to 7 July 2015 in accordance with former administrative instruction ST/AI/2012/1 , entitled “Assignment grant”	—	—	3 704.64	20 March 2018
UNDT/2017/078	New York	UNDOF	(i) Pay \$2,100 as compensation for loss of iPad and wristwatch in camp evacuation (ii) Pay \$5,390 for the loss of other personal items as already agreed by the Administration	—	—	7 575.62	20 March 2018

<i>United Nations Dispute Tribunal judgment No.</i>	<i>Registry</i>	<i>Entity of decision maker</i>	<i>Compensation awarded/costs ordered by the United Nations Dispute Tribunal</i>	<i>United Nations Appeals Tribunal judgment No.</i>	<i>Affirmed/vacated/rejected compensation awarded by the United Nations Appeals Tribunal</i>	<i>Net amount paid (United States dollars, unless otherwise indicated)</i>	<i>Date of payment</i>
			(iii) Interest to be paid at US prime rate within 60 days from day that judgment becomes executable, plus an additional 5 per cent after 60 days				
UNDT/2017/096	Nairobi	MONUSCO	(i) Delay in several payments created ongoing breach of rights	—	—	6 000.00	3 March 2018
			(ii) Pay moral damages in the amount of \$6,000				
UNDT/2018/005	New York	DESA	(i) Rejection of complaint of harassment and abuse of authority rescinded; applicant found to be victim of harassment and abuse of authority	2018-UNAT-868	(i) Vacated	—	—
			(ii) Pay moral damages in the amount of one year's net base salary		(ii) Vacated		
UNDT/2018/009	Geneva	DM	(i) Decision to place applicant on administrative leave without pay rescinded	2018-UNAT-869	(i) Vacated	—	—
			(ii) Pay net base salary for the period of placement on administrative leave without pay		(ii) Vacated		
UNDT/2018/016	Geneva	OAJ	(i) Decision to take no further action on complaint of harassment and abuse of authority rescinded	2018-UNAT-873	(i) Affirmed	—	—

<i>United Nations Dispute Tribunal judgment No.</i>	<i>Registry</i>	<i>Entity of decision maker</i>	<i>Compensation awarded/costs ordered by the United Nations Dispute Tribunal</i>	<i>United Nations Appeals Tribunal judgment No.</i>	<i>Affirmed/vacated/rejected compensation awarded by the United Nations Appeals Tribunal</i>	<i>Net amount paid (United States dollars, unless otherwise indicated)</i>	<i>Date of payment</i>
			(ii) Complaint remanded to Assistant Secretary-General, Office of Human Resources Management for institution of disciplinary procedures, in accordance with Secretary-General's bulletin ST/SGB/2008/5 , entitled "Prohibition of discrimination, harassment, including sexual harassment, and abuse of authority"		(ii) Affirmed		
			(iii) Pay moral damages in the amount of \$20,000		(iii and iv) Compensation reduced to \$10,000 in total		
			(iv) Pay \$10,000 as compensation for harm as a consequence of the impossibility of investigating the complaint in its full breadth				
UNDT/2018/018	Nairobi	ECA	(i) Decision not to set up fact-finding investigation panel rescinded; complaint referred to Administration for proper consideration under ST/SGB/2008/5	2018-UNAT-874	(i) Not appealed		
			(ii) Pay moral damages in the amount of \$3,000		(ii) Vacated		
UNDT/2018/019	Nairobi	OCHA	Compensation for delay caused by not informing the applicant in good time of the withdrawal of offer, in the amount of one month's net base salary	—	—	6 930.64	18 May 2018

<i>United Nations Dispute Tribunal judgment No.</i>	<i>Registry</i>	<i>Entity of decision maker</i>	<i>Compensation awarded/costs ordered by the United Nations Dispute Tribunal</i>	<i>United Nations Appeals Tribunal judgment No.</i>	<i>Affirmed/vacated/rejected compensation awarded by the United Nations Appeals Tribunal</i>	<i>Net amount paid (United States dollars, unless otherwise indicated)</i>	<i>Date of payment</i>
UNDT/2018/020	New York	UNOG	Pay moral damages in the amount of \$3,000 as a consequence of the Administration's failure to fully and fairly consider the applicant for posts at the P-3 level	2018-UNAT-878	Vacated		
UNDT/2018/028	Geneva	OCHA	(i) Selection decision for position of Humanitarian Affairs Officer (Financial Tracking Service) (P-3) rescinded (ii) In-lieu compensation of two months' net base salary at the P-3, step 1, level	2018-UNAT-880	(i) Affirmed (ii) Affirmed	—	—
UNDT/2018/031	Geneva	UNICEF	(i) Decision not to extend the applicant's appointment rescinded (ii) Reinstatement or, alternatively, one year's net base salary (iii) Compensation for moral damages in the amount of \$5,000 (iv) Interest to be paid at US prime rate within 60 days from day judgment becomes executable, plus an additional 5 per cent after 60 days	2018-UNAT-882	(i) Affirmed (ii-iv) Affirmed, applicant's additional claims rejected	24 336.63	5 February 2019

<i>United Nations Dispute Tribunal judgment No.</i>	<i>Registry</i>	<i>Entity of decision maker</i>	<i>Compensation awarded/costs ordered by the United Nations Dispute Tribunal</i>	<i>United Nations Appeals Tribunal judgment No.</i>	<i>Affirmed/vacated/rejected compensation awarded by the United Nations Appeals Tribunal</i>	<i>Net amount paid (United States dollars, unless otherwise indicated)</i>	<i>Date of payment</i>
UNDT/2018/038	Geneva	UNICEF	(i) Failure to officially notify applicant of non-selection decision unlawful (ii) Pay damages in the amount of \$500	2018-UNAT-886	(i) Affirmed (ii) Vacated	—	—
UNDT/2018/039/Corr.1	Geneva	UNICEF	(i) Decisions of Chief of Investigations at Office of Internal Audit and Investigations (OIAI), dated 12 and 14 April 2016, on complaints rescinded (ii) Applicant's complaints dated 26 January and 21 March 2016 remanded to Director, OIAI, for new examination within 60 days after judgment becomes executable (iii) Chief of Investigations and Investigations Specialist who handled the complaints are recused (iv) Interest to be paid at US prime rate within 60 days from day judgment becomes executable, plus an additional 5 per cent after 60 days	2018-UNAT-885	(i) Affirmed (ii) Affirmed (iii) Affirmed (iv) Affirmed Applicant's additional claims rejected	1 044.66	5 February 2019
UNDT/2018/055	Geneva	UNMIK	(i) Decision to deduct 25 per cent of salary as alimony rescinded	2018-UNAT-892	(i) Affirmed	—	—

<i>United Nations Dispute Tribunal judgment No.</i>	<i>Registry</i>	<i>Entity of decision maker</i>	<i>Compensation awarded/costs ordered by the United Nations Dispute Tribunal</i>	<i>United Nations Appeals Tribunal judgment No.</i>	<i>Affirmed/vacated/rejected compensation awarded by the United Nations Appeals Tribunal</i>	<i>Net amount paid (United States dollars, unless otherwise indicated)</i>	<i>Date of payment</i>
			(ii) Any deducted amount during the relevant period to be reimbursed minus child allowance paid		(ii) Affirmed		
UNDT/2018/056	New York	DM	(i) Decision to terminate for disciplinary reasons rescinded; reference to disciplinary sanction to be removed from official status file (ii) Pay \$5,000 as in-lieu compensation (iii) Pay net salary for period between separation and expiration of fixed-term contract (iv) Request for reinstatement rejected	2018-UNAT-889	(i)–(iii) Vacated (iv) Affirmed	–	–
UNDT/2018/060	Geneva	OHCHR	(i) Non-selection decision rescinded (ii) Pay \$4,000 as in-lieu compensation	–	–	–	–
UNDT/2018/061	Nairobi	MINUSMA	(i) Non-selection for Gender Affairs Officer post (P-3) rescinded (ii) Compensation of three months' net base salary in lieu of rescission (iii) Interest at US prime rate within 60 days from the day judgment becomes executable	–	–	16 466.80	7 September 2018

<i>United Nations Dispute Tribunal judgment No.</i>	<i>Registry</i>	<i>Entity of decision maker</i>	<i>Compensation awarded/costs ordered by the United Nations Dispute Tribunal</i>	<i>United Nations Appeals Tribunal judgment No.</i>	<i>Affirmed/vacated/rejected compensation awarded by the United Nations Appeals Tribunal</i>	<i>Net amount paid (United States dollars, unless otherwise indicated)</i>	<i>Date of payment</i>
			plus additional 5 per cent after 60 days				
UNDT/2018/066	New York	DGACM	(i) Requesting applicant to resign amounted to constructive dismissal, and rescinded (ii) Pay \$10,000 as in-lieu compensation (iii) Pay salary for 125 days for loss of salary, in accordance with administrative instruction ST/AI/2003/8/Amend.2 , entitled “Retention in service beyond the mandatory age of separation and employment of retirees” (iv) Consider applicant eligible for future “When actually employed” (WAE) contracts (v) Judge included “observations”	2019-UNAT- 901	(i) Affirmed (ii) Compensation reduced to \$2,000 (iii) Vacated (iv) Vacated (v) “Observations” stricken from Dispute Tribunal judgment	—	—
UNDT/2018/070	New York	OIOS	(i) Decisions to abolish post, not to renew fixed-term contract and not to reassign for two months rescinded (ii) Two-year fixed-term contract considered extended with retroactive effect	2019-UNAT- 902	(i) Vacated (ii) Vacated	—	—

<i>United Nations Dispute Tribunal judgment No.</i>	<i>Registry</i>	<i>Entity of decision maker</i>	<i>Compensation awarded/costs ordered by the United Nations Dispute Tribunal</i>	<i>United Nations Appeals Tribunal judgment No.</i>	<i>Affirmed/vacated/rejected compensation awarded by the United Nations Appeals Tribunal</i>	<i>Net amount paid (United States dollars, unless otherwise indicated)</i>	<i>Date of payment</i>
			(iii) Place applicant at a suitable post		(iii) Vacated		
			(iv) Pay \$10,000 as an alternative to (i) and (ii)		(iv) Vacated		
			(v) Pay net base salary and pension contributions for Applicant's period of unemployment resulting from non-extension for additional two years		(v) Vacated		
			(vi) Pay moral damages in the amount of three months' net base salary		(vi) Vacated		
UNDT/2018/071	Geneva	OAJ	<i>Re case 2013/057:</i>	2018-UNAT- 895		—	—
			(i) Pay pecuniary damages for non-renewal decision; 21 months' net base salary		(i) Compensation reduced to 12 months' net base salary		
			(ii) Pay pecuniary damages of half of net base salary plus post adjustment for eight months and 13 days		(ii) Vacated		
			(iii) Pay non-pecuniary damages in the amount of \$40,000		(iii) Compensation reduced to \$20,000		
			(iv) Place copy of judgment in official status file		(iv) Affirmed		

<i>United Nations Dispute Tribunal judgment No.</i>	<i>Registry</i>	<i>Entity of decision maker</i>	<i>Compensation awarded/costs ordered by the United Nations Dispute Tribunal</i>	<i>United Nations Appeals Tribunal judgment No.</i>	<i>Affirmed/vacated/rejected compensation awarded by the United Nations Appeals Tribunal</i>	<i>Net amount paid (United States dollars, unless otherwise indicated)</i>	<i>Date of payment</i>
<i>Re case 2013/039:</i>							
			(v) Pay pecuniary damages resulting from non-renewal decision pending rebuttal in the amount of half of net base salary plus post adjustment for seven months and five days, unless payment of (i) is made		(v) Vacated		
			(vi) Pay non-pecuniary damages in the amount of 10,000		(vi) Vacated for being duplicative of award of \$40,000 for non-pecuniary damages for non-renewal		
UNDT/2018/074	Nairobi	DM	(i) Termination based on abandonment of post rescinded	—	—	—	—
			(ii) Determination of incapacitation and entitlement to disability benefit referred to United Nations Staff Pension Committee				
			(iii) Applicant deemed to have been on certified sick leave and paid full salary				
			(iv) Claim for disability allowance for disabled son rejected				
UNDT/2018/078	New York	DM	(i) Administration's calculation of termination indemnity rescinded	2019-UNAT- 906	(i) Vacated	—	—

<i>United Nations Dispute Tribunal judgment No.</i>	<i>Registry</i>	<i>Entity of decision maker</i>	<i>Compensation awarded/costs ordered by the United Nations Dispute Tribunal</i>	<i>United Nations Appeals Tribunal judgment No.</i>	<i>Affirmed/vacated/rejected compensation awarded by the United Nations Appeals Tribunal</i>	<i>Net amount paid (United States dollars, unless otherwise indicated)</i>	<i>Date of payment</i>
			(ii) Administration to provide updated calculation sheets		(ii) Vacated		
			(iii) Pay \$5,000 for procedural error		(iii) Vacated		
UNDT/2018/079	Nairobi	UNIFIL	(i) Non-renewal decision rescinded	2019-UNAT-907	(i) Affirmed	—	—
			(ii) Reinstate applicant from 1 July to 22 August 2015 and pay net base salary/entitlements for same period		(ii) Affirmed		
UNDT/2018/082	Geneva	UNAMA	(i) Pay salary differential in the amount of nine months special post allowance to P-4	—	—	1 000	21 December 2018
			(ii) Pay \$1,000 for damages to career prospects				
UNDT/2018/083	Nairobi	UNAMI	Pay compensation for unlawful termination decision in the amount of six months' net base salary	2019-UNAT-909	Award increased to 24 months' net base salary	—	—
UNDT/2018/084	Geneva	UNHCR	(i) Decision not to promote rescinded	—	—	CHF 6,000	18 October 2018
			(ii) In-lieu compensation of CHF 6,000 if so elected				
UNDT/2018/086	Geneva	UNICEF	(i) Dismissal decision replaced by suspension without pay for three months	2019-UNAT-913	(i) Vacated	—	—
			(ii) Pay one-year net base salary as in-lieu compensation		(ii) Vacated		

<i>United Nations Dispute Tribunal judgment No.</i>	<i>Registry</i>	<i>Entity of decision maker</i>	<i>Compensation awarded/costs ordered by the United Nations Dispute Tribunal</i>	<i>United Nations Appeals Tribunal judgment No.</i>	<i>Affirmed/vacated/rejected compensation awarded by the United Nations Appeals Tribunal</i>	<i>Net amount paid (United States dollars, unless otherwise indicated)</i>	<i>Date of payment</i>
UNDT/2018/092	New York	DSS	(i) Non-renewal rescinded, and retroactive reinstatement ordered from 1 March 2017 until 28 February 2019 (ii) Pay salary/pension contributions as compensation for loss of earnings from 1 March 2017 until the effective date of reinstatement (iii) Pay two years' net base salary as in-lieu compensation	2019-UNAT- 916	(i) Vacated (ii) Vacated	—	—
UNDT/2018/093			(i) Decision to exclude applicant from consideration for Translator (Russian) (P-3) at United Nations Office at Nairobi rescinded (ii) Two months' net base salary as alternative to rescission of contested decision	Appealed	—	—	—
UNDT/2018/099	New York	DM	(i) Administration's refusal to rectify adverse effects on pensions after serving at Assistant Secretary-General/ Under-Secretary-General level rescinded (ii) Pay three months' net base salary as in-lieu compensation to each applicant (iii) Pay \$10,000 as moral damages to each applicant	Appealed	—	—	—

<i>United Nations Dispute Tribunal judgment No.</i>	<i>Registry</i>	<i>Entity of decision maker</i>	<i>Compensation awarded/costs ordered by the United Nations Dispute Tribunal</i>	<i>United Nations Appeals Tribunal judgment No.</i>	<i>Affirmed/vacated/rejected compensation awarded by the United Nations Appeals Tribunal</i>	<i>Net amount paid (United States dollars, unless otherwise indicated)</i>	<i>Date of payment</i>
			(iv) Establish amount of fair and reasonable compensation for material damages resulting from the breach				
UNDT/2018/103	Geneva	ESCAP	(i) Decision excluding applicant from consideration for position of Reviser (Russian) (New York) rescinded (ii) Should respondent elect to pay compensation instead of rescinding decision, he shall pay US\$ 2,500	Appealed	—	—	—
UNDT/2018/104	Geneva	ESCAP	(i) Decision excluding the applicant from consideration for position of Reviser/Self-revising Translator (Russian) (Vienna) rescinded (ii) Should respondent elect to pay compensation instead of having the decision rescinded, he shall pay an amount equal to 25 per cent of the difference in net base salary, over a period of two years, between applicant's net base salary at his grade/step at the time of the contested decision and the net base salary that applicant would have received had he been selected for the position	Appealed	—	—	—

<i>United Nations Dispute Tribunal judgment No.</i>	<i>Registry</i>	<i>Entity of decision maker</i>	<i>Compensation awarded/costs ordered by the United Nations Dispute Tribunal</i>	<i>United Nations Appeals Tribunal judgment No.</i>	<i>Affirmed/vacated/rejected compensation awarded by the United Nations Appeals Tribunal</i>	<i>Net amount paid (United States dollars, unless otherwise indicated)</i>	<i>Date of payment</i>
UNDT/2018/105	New York	DESA	(i) Applicant to be deemed eligible to enrol in after-Service health insurance (ASHI) programme retroactively from date of her retirement; ASHI coverage effective as the requirement of 10 years of participation is fulfilled through additional contributions made by the applicant (ii) In-lieu compensation not set (iii) Pay \$3,000 as moral damages	Appealed	—	—	—
UNDT/2018/108	Nairobi	UNHCR	Pay \$5,000 for loss of opportunity and \$4,000 for moral damages	Appealed	—	—	—
UNDT/2018/115	Nairobi	UNHCR	(i) Case remanded to Advisory Board on Compensation Claims (ABCC) with the concurrence of the Secretary-General, for establishment of a medical board under appendix D to the Staff Rules and for correction of the procedures (ii) Pay three months' net base salary for procedural delay	—	—	—	—

<i>United Nations Dispute Tribunal judgment No.</i>	<i>Registry</i>	<i>Entity of decision maker</i>	<i>Compensation awarded/costs ordered by the United Nations Dispute Tribunal</i>	<i>United Nations Appeals Tribunal judgment No.</i>	<i>Affirmed/vacated/rejected compensation awarded by the United Nations Appeals Tribunal</i>	<i>Net amount paid (United States dollars, unless otherwise indicated)</i>	<i>Date of payment</i>
UNDT/2018/118	Nairobi	UNMIL	(i) Legitimate expectation of longer appointment not honoured (ii) Pay six months' net base salary, minus compensation in lieu of notice that was paid to applicant upon separation	—	—	7 054.75	22 February 2019
UNDT/2018/136	New York	DM	(i) Non-selection rescinded (ii) Order to restart selection process (iii) In the alternative, three months' net base salary	Appealed	—	—	—

Abbreviations: UNMISS, United Nations Mission in South Sudan; UNAMI, United Nations Assistance Mission for Iraq; ESCWA, Economic and Social Commission for Western Asia; UNSOS, United Nations Support Office in Somalia; UNDOF, United Nations Disengagement Observer Force (Golan); MONUSCO, United Nations Organization Stabilization Mission in the Democratic Republic of the Congo; DESA, Department of Economic and Social Affairs of the United Nations Secretariat; DM, Department of Management; OAJ, Office of Administration of Justice; ECA, Economic Commission for Africa; OCHA, Office for the Coordination of Humanitarian Affairs of the Secretariat; UNOG, United Nations Office at Geneva; UNICEF, United Nations Children's Fund; UNMIK, United Nations Interim Administration Mission in Kosovo; OHCHR, Office of the United Nations High Commissioner for Human Rights; MINUSMA, United Nations Multidimensional Integrated Stabilization Mission in Mali; DGACM, Department for General Assembly and Conference Management; OIOS, Office of Internal Oversight Services; UNIFIL, United Nations Interim Force in Lebanon; UNAMA, United Nations Assistance Mission in Afghanistan; UNHCR, Office of the United Nations High Commissioner for Refugees; DSS, Department of Safety and Security; ESCAP, Economic and Social Commission for Asia and the Pacific; UNMIL, United Nations Mission in Liberia.