

UNDT/2009/006, Manokhin

UNAT Held or UNDT Pronouncements

The applicant was given the opportunity of providing arguments and submissions which may tend to show that he had an arguable case. He has failed to do so. There was ample evidence before the Secretary-General to support a finding of serious misconduct. The internal disciplinary investigations complied with the principles of natural justice. There were no procedural irregularities in the investigation and the sanction of summarily dismissal was proportionate to the misconduct.

Decision Contested or Judgment/Order Appealed

Applicant's dismissal for serious misconduct.

Legal Principle(s)

Striking out of applications: Failure to comply with an order to show cause may result in the application being struck out. Outside and internal investigations: Even when there are criminal proceedings or investigations by national authorities, UNDT will consider whether the Organization has carried out its own (adequate) investigation. Preliminary investigations: Internal UN investigation must provide full and fair opportunity for the applicant to defend himself and the evidence must be sufficient to sustain the disciplinary findings

Outcome

Dismissed on merits

Full judgment

[Full judgment](#)

Applicants/Appellants

Manokhin

Entity

UN Secretariat

Case Number(s)

UNDT/NY/2009/043/JDC/2008/087

Tribunal

UNDT

Registry

New York

Date of Judgement

14 Aug 2009

Duty Judge

Judge Meeran

Language of Judgment

English

French

Issuance Type

Judgment

Categories/Subcategories

Disciplinary matters / misconduct

Fraud, misrepresentation and false certification

Applicable Law

Staff Rules

- Rule 1.2(b)
- Rule 1.2(e)
- Rule 1.2(g)