

UNDT/2010/005, Azzouni

UNAT Held or UNDT Pronouncements

A single testimony reporting discriminatory statements made by an individual is insufficient to establish whether such statements were made if the accused individual denies having made such statements. From the moment that a confrontational relationship exists between a senior staff member and his/her supervisor, the Judge, without its being necessary to determine who bears a responsibility of the conflict, considers that the interest of the service requires addressing without delay the conflict and justifies the non-renewal of the staff member's contract, unless, in the instant case, the Applicant would establish that she is the victim of religious discrimination, which she does not.

Decision Contested or Judgment/Order Appealed

The Executive Secretary of ESCWA refused to renew the fixed-term appointment of the Head of the ESCWA Center for Women, on the grounds that she lacked management skills and exercised poor judgement when handling sensitive issues. The Applicant contends that the Executive Secretary's decision was tainted by religious discrimination.

Legal Principle(s)

N/A

Outcome

Dismissed on merits

Full judgment

[Full judgment](#)

Applicants/Appellants

Azzouni

Entity

ESCWA

Case Number(s)

UNDT/GVA/2009/049

Tribunal

UNDT

Registry

Geneva

Date of Judgement

13 Jan 2010

Duty Judge

Judge Cousin

Language of Judgment

English

French

Issuance Type

Judgment

Categories/Subcategories

Appointment (type)

Fixed-term appointment

Discrimination and other improper motives

Religion

Non-renewal

Applicable Law

Former Staff Rules

- Rule 104.12(b)(ii)
- Rule 109.7(a)