

UNDT/2010/041, Liyanarachchige

UNAT Held or UNDT Pronouncements

The Respondent had sufficiently substantiated his allegations against the Applicant. It also found that due process had been afforded to the Applicant. Given the gravity of the allegations, the Tribunal decided that the decision to summarily dismiss the Applicant was proportionate to the nature of the charges.

Decision Contested or Judgment/Order Appealed

The Applicant filed an application to challenge the decision to summarily dismiss him on the ground that there were both substantive and procedural irregularities during the investigation and that the Respondent committed errors of fact and found insufficient evidence.

Legal Principle(s)

N/A

Outcome

Dismissed on merits

Full judgment

[Full judgment](#)

Applicants/Appellants

Liyanarachchige

Entity

UNOCI

Case Number(s)

UNDT/NBI/2009/047

Tribunal

UNDT

Registry

Nairobi

Date of Judgement

9 Mar 2010

Duty Judge

Judge Boolell

Language of Judgment

English

French

Issuance Type

Judgment

Categories/Subcategories

Burden of proof

Disciplinary matters / misconduct

Sexual exploitation and abuse

Evidence

Termination (of appointment)

Summary dismissal

Applicable Law

Administrative Instructions

- ST/AI/371

Agreements, conventions, treaties (etc.)

- Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children

Other UN issuances (guidelines, policies etc.)

- OIOS Investigations Manual

Secretary-General's bulletins

- ST/SGB/2003/13

Staff Rules

- Rule 110.1

Related Judgments and Orders

UNDT/2010/024