

UNDT/2011/086, Sow

UNAT Held or UNDT Pronouncements

The Applicant made good faith efforts to comply with his financial disclosure obligations for 2005. The Secretary-General failed to take into account the various mitigating factors in favour of the Applicant when determining the sanction against him. The disciplinary sanction imposed on the Applicant was far more excessive than was necessary for obtaining the desired purposes of the financial disclosure program. The appropriate disciplinary measure in the present case should be a reprimand.

Decision Contested or Judgment/OrderAppealed

The Applicant filed an Application with the United Nations Administrative Tribunal on 5 May 2010 contesting the decision of the Secretary-General to impose a disciplinary measure of a fine of two months' net base salary.

Legal Principle(s)

N/A

Outcome

Judgment entered for Applicant in full or in part

Outcome Extra Text

The impugned decision is rescinded and the Tribunal awards the Applicant two months' net base salary at the rate applicable at the date when the impugned decision was taken.

Full judgment

[Full judgment](#)

Applicants/Appellants

Sow

Entity

MONUC

Case Number(s)

UNDT/NBI/2010/30/UNAT/1688

Tribunal

UNDT

Registry

Nairobi

Date of Judgement

20 May 2011

Duty Judge

Judge Izuako

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Disciplinary matters / misconduct

Disciplinary measure or sanction

Applicable Law

Information Circulars

- ST/IC/2008/41

Secretary-General's bulletins

- ST/SGB/2006/6

Related Judgments and Orders

2010-UNAT-040

2010-UNAT-084

UNDT/2010/036