

UNDT/2024/009, Kibe

UNAT Held or UNDT Pronouncements

The Tribunal found no procedural flaws in the procedure adopted to investigate and impose the disciplinary action taken.

The Tribunal determined that the application should be denied since the misconduct committed by the Applicant was very serious and there were no mitigating factors. The Applicant refused to supply relevant information even though she knew that it was known that she had a sister working in the Organization.

The disciplinary measure imposed was therefore proportionate and fairly imposed, with full opportunity to respond to questions asked and clarify answers, if necessary.

Decision Contested or Judgment/Order Appealed

The Applicant contested the disciplinary measure imposed on her of separation from service with compensation in lieu of notice and with termination indemnity, in accordance with staff rule 10.2(a)(viii) for failing to disclose that she had a sister working for the Organization.

Outcome

Dismissed on merits

Full judgment

[Full judgment](#)

Applicants/Appellants

Kibe

Entity

UNEP

Case Number(s)

UNDT/NBI/2022/121

Tribunal

UNDT

Registry

Nairobi

Date of Judgement

27 Feb 2024

Duty Judge

Judge Belle

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Fraud, misrepresentation and false certification

Dismissal/separation

Disciplinary matters / misconduct

Applicable Law

Former Staff Rules

- Rule 104.10(a)

Staff Regulations

- Regulation 1.2(b)

Staff Rules

- Rule 10.2(a)(viii)
- Rule 4.7(a)