

2025-UNAT-1533, Cristina Roig

UNAT Held or UNDT Pronouncements

The UNAT held that the UNDT did not err in concluding that it was established that the former staff member diverted funds contributed to the United Nations Staff Union to support UN Staff Day to the United Nations Athletic Club (UNAC). The UNAT affirmed that even if the former staff member did not obtain personal gain, she misused her office for the private gain of a third party, the UNAC, which constituted misconduct.

The UNAT held that irrespective of what the former staff member's work environment was like, it cannot justify misconduct.

The UNAT further held that any form of dishonest conduct which compromises the relationship of trust between an employer and their employees warrants dismissal, and therefore, the sanction imposed on the former staff member was proportionate.

The UNAT dismissed the application and affirmed the UNDT Judgment.

Decision Contested or Judgment/Order Appealed

The former staff member contested the decisions (a) to dismiss her from service pursuant to fraud, and (b) to separate her from service with compensation in lieu of notice but without termination indemnity for misuse of authority.

In Judgment No. UNDT/2023/141, the UNDT dismissed the application.

The former staff member appealed.

Legal Principle(s)

Dishonest conduct involves intent or some element of deception and merits the most severe sanctions such as separation from service or dismissal. Deliberate false statements, misrepresentations and failure to disclose required information are inevitably dishonest.

Fraud consists of three cumulative elements: the unlawful making of a misrepresentation, the intent to defraud or deceive, and causing actual or potential prejudice to another. Personal gain is not an element of fraud or misuse of authority.

Outcome

Appeal dismissed on merits

Outcome Extra Text

Full judgment

[Full judgment](#)

Applicants/Appellants

Cristina Roig

Entity

UN Secretariat

Case Number(s)

2024-1903

Tribunal

UNAT

Registry

New York

Date of Judgement

8 May 2025

President Judge

Gao

Judge Sheha

Judge Ziadé

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Dismissal/separation

Fraud, misrepresentation and false certification

Proportionality of sanction

Disciplinary matters / misconduct

Applicable Law

Information Circulars

- ST/IC/2016/25

Staff Regulations

- Regulation 1.2(g)

Staff Rules

- Rule 10.1(a)
- Rule 10.2(a)