



# UNITED NATIONS APPEALS TRIBUNAL TRIBUNAL D'APPEL DES NATIONS UNIES

Judgment No. 2025-UNAT-1594

# **Ismail Mahmoud Awadat (Appellant)**

V.

**Commissioner-General  
of the United Nations Relief and Works Agency  
for Palestine Refugees in the Near East  
(Respondent)**

## JUDGMENT

Before: Judge Leslie F. Forbang, Presiding  
Judge Kanwaldeep Sandhu  
Judge Gao Xiaoli

Case No.: 2025-2015

Date of Decision: 31 October 2025

Date of Publication: 26 November 2025

Registrar: Juliet E. Johnson

Computer-aided Design and Manufacturing

**JUDGE LESLIE F. FORBANG, PRESIDING.**

1. Mr. Awadat, an area staff member of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA or the Agency), contested the decision to impose on him the disciplinary measure of separation from service with compensation in lieu of notice and without termination indemnity for having engaged in fraud (contested decision).

2. In Judgment No. UNRWA/DT/2024/050 (impugned Judgment),<sup>1</sup> the UNRWA Dispute Tribunal (UNRWA DT) dismissed the application on the merits.

3. Mr. Awadat filed an appeal with the United Nations Appeal Tribunal (Appeals Tribunal or UNAT) in respect of the quantum of moral damages.

4. For the reasons set out below, the Appeals Tribunal dismisses the appeal and affirms the impugned Judgment.

**Facts and Procedure<sup>2</sup>**

5. Mr. Awadat commenced employment with the Agency in 1997. At the material time of events, he was employed as Messenger in the Administrative Services Division of the Jordan Field Office (JFO).<sup>3</sup>

6. The UNRWA Provident Fund (PF) is a retirement benefit plan, which applies to all eligible area staff members. The Provident Fund Humanitarian Repayable Withdrawal Scheme (Scheme) is a mechanism that allows staff members to apply for loans against their PF credits for specified educational, housing and medical purposes.<sup>4</sup>

7. Between 2015 and 2019, Mr. Awadat was a member of the Provident Fund Loans Committee at JFO (PFLC).<sup>5</sup>

8. On 13 December 2019, the Acting Commissioner-General of the Agency forwarded to the Department of Internal Oversight Services (DIOS) a complaint relating to the PFLC filed by an individual external to the Agency. The complaint alleged corruption against several Agency staff

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<sup>1</sup> *Awadat v. Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East*, Judgment dated 3 December 2024.

<sup>2</sup> Summarized from the impugned Judgment as relevant to the appeal.

<sup>3</sup> Impugned Judgment, para. 3.

<sup>4</sup> *Ibid.*, para. 6.

<sup>5</sup> *Ibid.*, para. 7.

members at JFO. On 24 December 2019, a second complaint was referred to DIOS by another external individual alleging that financial and administrative violations had been committed by the PFLC in the period of 2015 to 2019.<sup>6</sup> In the context of allegations that a number of staff members had been involved in fraudulent and collusive practices to obtain PF loans, misconduct allegations arose against Mr. Awadat.<sup>7</sup>

#### *The DIOS investigation*

9. On 16 December 2020, DIOS completed its preliminary assessment of the allegations and recommended a full investigation into various staff members suspected of improper conduct, including Mr. Awadat.<sup>8</sup>

10. On 18 May 2021, he was formally notified that DIOS was investigating allegations of misconduct in connection with the preparation of applications for PF loans, including the allegation that he had provided a falsified school document to a JFO staff member (Wo1) in connection with a PF loan application submitted by her to the PFLC on 16 August 2018.<sup>9</sup>

11. Mr. Awadat was interviewed as part of the investigation first on 24 May 2021 and for a second time on 31 May 2021.<sup>10</sup>

12. On 20 March 2022, DIOS issued its Investigation Report in relation to the allegations against Mr. Awadat, in which it found that there was sufficient evidence to conclude that he had provided Wo1 with a forged document dated 16 August 2018 issued by a fictitious school called Weshah Primary School to help Wo1 obtain a PF loan for educational purposes.<sup>11</sup>

#### *The disciplinary process*

13. On 8 August 2022, Mr. Awadat was informed of his opportunity to respond to the allegations, which he did on 28 August 2022. On 15 February 2023, he was provided with the Investigation Report and given another opportunity to respond to the findings of the investigation. He subsequently submitted an updated response.<sup>12</sup>

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<sup>6</sup> *Ibid.*, paras. 4-5.

<sup>7</sup> *Ibid.*, paras. 6-7.

<sup>8</sup> *Ibid.*, para. 12.

<sup>9</sup> *Ibid.*, para. 13.

<sup>10</sup> *Ibid.*, para. 14.

<sup>11</sup> *Ibid.*, para. 15.

<sup>12</sup> *Ibid.*, para. 27; Sanction Letter, p. 2.

14. On 4 June 2023, Mr. Awadat was informed of the contested decision.<sup>13</sup> The Sanction Letter read, in the relevant parts:<sup>14</sup>

[I]t has been established that you engaged in fraudulent and collusive practices. Specifically, you provided another staff member [Wo1] with a fraudulent document, purportedly issued by Weshah Primary School, a non-existing entity, in support of her (...) loan application for JOD 1,850. This loan was subsequently approved by [PFLC] on 3 September 2018 for which you are a member.

...

## II. EVIDENTIARY FINDINGS

(...) I find that (...) you provided a document dated 16 August 2018, stating that [Wo1]'s son was registered at the non-existent Weshah Primary School. [Wo1] then attached the fraudulent document to her loan application to the PFLC, which the loan Committee approved on 3 September 2018.

...

[Y]ou were fully aware of its substance and purpose and you were aware that the document which you procured contained false information designed to assist [Wo1] in obtaining a loan on fraudulent grounds. In any event, you later read the letter in your capacity as a member of the PFLC when the Committee considered [Wo1]'s application.

Evidently, your actions entailed a misrepresentation of a material fact, (that [Wo2]'s son was allegedly registered in a private school), to obtain a benefit for another person, i.e. [Wo1], for which no entitlement would otherwise arise or exist, which thus constituted fraud and fraudulent practices. In addition, you engaged in arrangement with [Wo1] - as well as another staff member who assisted in obtaining the fraudulent document - to achieve an improper purpose, i.e. the loan to which [Wo1] was not entitled, thereby improperly influencing the actions of the PFLC, which constitutes a collusive practice. Moreover, your actions were unprofessional considering that as a member of the PFLC you approved the loan application knowing that the supporting documents were fraudulent thereby breaching your relationship of trust.

...

## IV. DISCIPLINARY MEASURE

As outlined above, I have determined that there is clear and convincing evidence, including through your admissions, that you committed fraud, fraudulent and collusive practices. (...) Any form of dishonest conduct, deception or fraud compromises the necessary relations of trust between the Organization and a staff member, in particular in light of your additional functions as a member of the loan Committee for PF loans. Moreover, if allowed, this kind

<sup>13</sup> Impugned Judgment, para. 11.

<sup>14</sup> Sanction Letter, pp. 1-4 and 7.

of misconduct entails substantial adverse reputational impact on an organization such as UNRWA. As such, I consider your actions to amount to serious misconduct and note that under the UNRWA Regulatory Framework, fraud is considered a priority concern misconduct area.

Furthermore, I consider the presence of the following aggravating factors warrants a disciplinary measure in the upper range:

- Nature of misconduct - As noted above, the Agency considers fraud a priority concern misconduct area.
- Position of trust- as a member of the PFLC, you were entrusted with safeguarding the interest of the Agency and its staff members.
- Reputational harm to the Agency - this kind of misconduct has a substantial adverse reputational impact on an organization such as UNRWA.

I note your long service with UNRWA, having joined in 1997 and your unblemished record. However, in instances of fraud, the severity of the misconduct tends to outweigh other mitigating considerations, such as length of service and a clean disciplinary record. (...)

#### *The decision review*

15. On 2 August 2023, Mr. Awadat submitted a request for decision review (RDR), to which the Deputy Commissioner-General responded on 31 August 2023, upholding the contested decision.<sup>15</sup>

16. On 25 September 2023, Mr. Awadat filed his application with the UNRWA DT.

#### *The impugned Judgment*

17. The UNRWA DT dismissed the application.

18. The UNRWA DT noted that Mr. Awadat admitted the misconduct and the charges against him and limited his challenge in the application to the issues of procedural fairness and the proportionality of the sanction imposed upon him.<sup>16</sup>

19. The UNRWA DT observed that it was common cause and not disputed that Mr. Awadat had provided WO1 with a forged document issued by a fictitious school to help her obtain a PF loan for educational purposes and that the document had falsely represented that WO1's son was enrolled at the school when Mr. Awadat knew that to be false. Importantly, the evidence further

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<sup>15</sup> Impugned Judgment, paras. 34-36.

<sup>16</sup> *Ibid.*, para. 38.

confirms that he subsequently approved the PF loan application which was founded on the forged document and the false information it contained that he was aware of.<sup>17</sup>

20. Referring to UNRWA General Staff Circular No. 05/2007, paragraph 5, General Staff Circular No. 07/2014, paragraph 5, UNRWA Anti-Fraud and Anti-Corruption Policy, paragraph 6, the definition of fraud in the Handbook on Ethics and the Standards of Conduct applicable to the Agency's personnel and UNRWA Area Staff Personnel Directive A/10/Rev.3, Annex 2, the UNRWA DT held that Mr. Awadat's conduct had been indisputably dishonest and fraudulent in that it amounted to intentional deception aimed at securing an unfair or unlawful gain for Wo1 which was actually or potentially prejudicial to the PF and the Agency, and furthermore, he had colluded with another JFO staff member, Wo1, to achieve an improper purpose.<sup>18</sup> Although the evidence does not establish that he was responsible for the forgery, the document was quite evidently a forgery, and he knew that to be the case. In passing the documents on to Wo1, Mr. Awadat engaged in a dishonest scheme in violation of his duties as a staff member of the Agency and more particularly his fiduciary duty as a member of the PFLC. His conduct also violated several other provisions of the Agency's legal framework.<sup>19</sup>

21. The UNRWA DT found that the Administration had carefully weighed the competing considerations applicable in this case and taken account of the relevant mitigatory factors. Mr. Awadat failed to identify the staff members who had received lesser sanctions or to particularize their misconduct in contrast to his own. It is thus not possible to make any comparison of the allegedly similarly-situated staff members and to determine whether there was any unjustifiable inconsistency. His position on the PFLC was likely a preponderant consideration. Accordingly, the imposition of the disciplinary measure was proportionate.<sup>20</sup>

22. The UNRWA DT found no merit to Mr. Awadat's claims of procedural unfairness.<sup>21</sup>

#### *Procedure before the Appeals Tribunal*

23. On 22 April 2025, Mr. Awadat filed an appeal of the impugned Judgment with the Appeals Tribunal, to which the Commissioner-General filed an answer on 20 June 2025.

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<sup>17</sup> *Ibid.*, para. 57.

<sup>18</sup> *Ibid.*, paras. 58-61.

<sup>19</sup> *Ibid.*, paras. 62-63.

<sup>20</sup> *Ibid.*, paras. 66-69.

<sup>21</sup> *Ibid.*, paras. 70-75.

## Submissions

### Mr. Awadat's Appeal

24. Mr. Awadat requests the Appeals Tribunal to reverse the impugned Judgment and award compensation for moral harm.<sup>22</sup>

25. Mr. Awadat sets out his description of events and submits that sympathetic and reasonable consideration of the evidence could be grounds for his acquittal. It has not been established that he received any payment. Therefore, he had no incentive to knowingly provide a forged document. He would not have committed the alleged misconduct as he knew that the loan would be audited and any misconduct discovered. His role in the PFLC was limited. The fact that he handled more than three thousand loan applications, no other having raised suspicions of misconduct, is a strong indication of his integrity. The actual source of the forged document was Mr. Abu Zeid.<sup>23</sup> Forgery of documents and misconduct took place not only during, but also before and after Mr. Awadat's membership in the PFLC, which corroborates that he was not involved.

26. Mr. Awadat points out that his interview took place almost three years after the alleged misconduct and argues that this situation affected his ability to defend himself. He contacted the telephone company to obtain a list of incoming and outgoing calls but the records covered only 24 months according to the company policy. The passage of time also affected the ability of witnesses to recall events accurately, one of the witnesses indeed stated as much.<sup>24</sup>

27. Mr. Awadat also suggests that other individuals evaded investigations or sanctions: (i) the Head of the Jordan Field Staff Union who was implicated in the complaints (HSU), (ii) a staff member who was later terminated on medical grounds whom the investigation found to be a potential suspect (FSM), and (iii) a member of the PFLC who knew that the stamps were forged and signed the loan applications nevertheless and who was treated as a witness (ABO).

28. Mr. Awadat contends that, assuming *arguendo* that he committed the alleged misconduct, it is unfair that he is separated from service without a termination indemnity, considering his

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<sup>22</sup> In total, Mr. Awadat requests compensation as follows: (i) JOD 32,000 for losing his right to termination indemnity, (ii) JOD 60,000 for loss of salary and various increments until the age of retirement, (iii) an unquantifiable amount of compensation for losing his right to benefits from the PF, and (iv) JOD 10,000 for health-related, psychological and moral harm.

<sup>23</sup> Mr. Awadat cites *Abu Zeid v. Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East*, Judgment No. UNRWA/DT/2024/052.

<sup>24</sup> Mr. Awadat refers to the Investigation Report, para. 28.

cooperation with the Board of Inquiry, his professional record, his age, and the severity of the sanctions imposed on other individuals involved in the misconduct. Not receiving a termination indemnity entailed a loss of more than USD 30,000.

29. Mr. Awadat submits that the contested decision caused bodily harm, psychological damage, moral harm, and financial loss.

### **The Commissioner-General's Answer**

30. The Commissioner-General requests the Appeals Tribunal to dismiss the appeal.

31. The Commissioner-General submits that the appeal has failed to establish any reversible error of fact, law or procedure by the UNRWA DT, warranting intervention by the Appeals Tribunal. Arguments of Mr. Awadat's lack of motivation underlying the misconduct and the likelihood of his having engaged in the misconduct, given the structure of the PFLC and intermediate review steps of which he would have been aware, go to the establishment of the facts of the misconduct, and were not properly put before the UNRWA DT. His arguments amount to a belated denial of admissions.

32. The Commissioner-General contends that Mr. Awadat's submissions on the proportionality of the sanction repeat arguments that were made before the UNRWA DT, rather than identify a reversible error in the impugned Judgment. While the impugned Judgment did not particularize his cooperation with the investigation as a mitigating factor, this argument was not specifically raised by him before the UNDT and, in any case, would be vitiated by the UNDT's recognition that the gravity of his offence and the breach of his fiduciary duty as a PFLC member were countervailing considerations in the disciplinary measure.

33. The Commissioner-General submits that as the contested decision was properly effected, there is no basis upon which to grant any of the requested reliefs.

### **Considerations**

34. By our well-established jurisprudence and the statutory provisions, the standard of review in disciplinary cases is to examine whether the facts on which the sanction is based have been

established, whether the established facts qualify as misconduct, whether the sanction is proportionate to the offence, and whether the staff member's due process rights were respected.<sup>25</sup>

35. In the instant case, Mr. Awadat's application before the UNRWA DT referred to his arguments in his RDR. Specifically, he stated that he stood by his arguments set out in his RDR, in which he had acknowledged that the conduct attributed to him had in fact been "substantiated" and the conduct constituted misconduct as defined by the Agency's rules, regulations, and governing administrative issuances.<sup>26</sup> Even though he did not unequivocally affirm the facts of his conduct, it is clear from the RDR that he did not challenge them. On this basis, it was not unreasonable for the UNRWA DT to hold that Mr. Awadat had admitted the misconduct.<sup>27</sup> Therefore, as the UNRWA DT noted, his submissions in the RDR and his application before the UNRWA DT limited his challenge of the contested decision to issues of procedural fairness and proportionality of the sanction imposed on him. On appeal, he does not assert that the UNRWA DT erred in accepting his admissions.

36. However, on appeal, Mr. Awadat contends that he had no incentive to commit the alleged crime or misconduct since it has not been established that he received any payment; no reasonable person in his position would have engaged in such misconduct, considering the multiple levels of audits involved in approving loans; he could not have provided the forged document since he was aware it would be discovered within a month of the loan's approval; he had a limited role in the loan approval process; and, his name was only associated with one case of alleged corruption across his handling of more than three thousand loan applications in his three years as a member of the PFLC, which he believes is a strong indication of his integrity.

37. These arguments are belated. They implicitly seek to challenge the underlying facts establishing his misconduct. These issues were not raised before the UNRWA DT, and thus cannot be introduced for the first time on appeal for consideration by the Appeals Tribunal.<sup>28</sup> We have consistently held that an appellant may not raise an argument on appeal that ought to have been

<sup>25</sup> *Doreen Nimusiima v. Secretary-General of the United Nations*, Judgment No. 2024-UNAT-1431, para. 88 (internal citation omitted).

<sup>26</sup> Application, Section VI; the RDR, page 3.

<sup>27</sup> Impugned Judgment, para. 38.

<sup>28</sup> *Haimour and Al Mohammad v. Commissioner-General of the United Nations Relief and Works Agency for Palestinian Refugees in the Near East*, Judgment No. 2016-UNAT-688, para. 38.

raised before the first instance tribunal.<sup>29</sup> We find, on that note, that Mr. Awadat's arguments regarding the evidence of his conduct are therefore inadmissible.

38. Since Mr. Awadat has not, in his appeal, challenged the UNRWA DT's determination that his conduct amounted to misconduct, this issue is not before us to determine.

39. Consequently, the admissible grounds of Mr. Awadat's appeal are limited to three issues only, namely: his challenge of the proportionality of the sanction imposed on him, the violation of his due process rights, and his request for compensation for harm. We shall examine each in turn.

*Whether the sanction was proportionate to the offence*

40. Our consistent jurisprudence is that, as a general rule, any form of dishonest conduct compromises the necessary relationship of trust between an employer and their employees and will warrant dismissal.<sup>30</sup>

41. Mr. Awadat argues that the disciplinary measure of separation from service, with compensation in lieu of notice and without termination indemnity, imposed on him was disproportionate or unfair, considering his cooperation with the Board of Inquiry, his professional record, his age and eligibility for voluntary retirement, and the fact that other staff members received relatively lesser penalties for similar or related misconduct. We disagree.

42. The UNRWA DT, in conducting its judicial review, properly considered the relevant legal framework and prevailing jurisprudence to hold that the disciplinary measure imposed on Mr. Awadat was proportionate. The UNRWA DT observed that Annex 2 of Area Staff Personnel Directive A/10/Rev.3 provided that fraud and corruption are areas of priority concern for the Agency, and qualified misconduct in these areas as more severe when committed by persons in a position of trust.<sup>31</sup> We agree.

43. Mr. Awadat's role as member of the PFLC placed him in a position of trust. His misconduct is therefore considered to have been more severe than fraud and corruption by staff members in other positions, and his violation of that position of trust warrants a commensurate disciplinary measure. His conduct of providing or facilitating the use of forged documents for a fictitious school

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<sup>29</sup> *Onifade v. Secretary-General of the United Nations*, Judgment No. 2016-UNAT-668, para. 43 (internal citations omitted).

<sup>30</sup> *Cristina Silva Roig v. Secretary-General of the United Nations*, Judgment No. 2025-UNAT-1533, para. 72 (internal citation omitted).

<sup>31</sup> Impugned Judgment, para. 60.

by another staff member to obtain a PF loan for education purposes was a breach of that trust and inconsistent with his role.

44. We previously reiterated the serious nature of this kind of misconduct in *Saleh*:<sup>32</sup>

Fraud and dishonesty are serious misconduct. Any form of dishonest conduct, deception or fraud compromises the necessary relationship of trust between the Organisation and a staff member and will generally warrant the termination of employment. While the decision to terminate employment necessarily involves the consideration and weighing of a number of factors, both mitigating and aggravating, in instances of dishonesty the severity of the misconduct tends to outweigh other mitigating considerations such as length of service, a clean disciplinary record, difficult personal circumstances, expressions of remorse and the like. The reason for that is dishonesty by a staff member invariably seriously damages or destroys the relationship of mutual trust and confidence in a way that renders the continuation of a quasi-fiduciary employment relationship untenable or even intolerable.

45. Mr. Awadat's conduct unquestionably fell into that category and damaged the relationship of mutual trust between him and the Agency. The UNRWA DT was correct therefore to defer to the reasonable conclusion of the Administration that the severity of the offence and the Agency's need to avoid reputational harm outweighed the mitigating considerations, like Mr. Awadat's long service and previously unblemished disciplinary record that the Administration considered.

46. Moreover, the Administration is best suited to select an adequate sanction within the limits stated by the respective norms, sufficient to prevent repetitive wrongdoing, punish the wrongdoer, satisfy victims and restore the administrative balance.<sup>33</sup> The principle of proportionality requires that an administrative action should not be more excessive than is necessary for obtaining the desired result. Once the facts and the misconduct have been established, the appropriateness of the level of sanction can only be considered unlawful in case of "obvious absurdity or flagrant arbitrariness".<sup>34</sup> Mr. Awadat has not demonstrated the absurdity or arbitrariness of the sanction in the case at bar.

47. Further, Mr. Awadat points out that some staff members implicated in similar or related misconduct were not investigated despite repeated internal and external complaints while others

<sup>32</sup> *Hassan Abdel Majid Saleh v. Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East*, Judgment No. 2022-UNAT-1239, para. 33.

<sup>33</sup> *Turkey v. Secretary-General of the United Nations*, Judgment No. 2019-UNAT-955, para. 38 (internal citation omitted).

<sup>34</sup> *Al Waleed Abdelrahman Abdrabou v. Secretary-General of the United Nations*, Judgment No. 2024-UNAT-1460, para. 71 (internal citation omitted).

evaded investigations or sanctions. We find that such arguments neither affect the severity of his misconduct nor demonstrate the absurdity or arbitrariness of the sanction imposed on him. Moreover, Mr. Awadat's comparison of his sanction to that of his colleagues who "paid bribes for forged documents" and "were found guilty of using forged documents" misses the fact that he held a position of particular trust when he committed the misconduct.

48. Accordingly, the UNRWA DT did not err in finding that the disciplinary measure imposed on Mr. Awadat was proportionate.

*Whether Mr. Awadat's due process rights were respected*

49. In reviewing due process in disciplinary proceedings, the Appeals Tribunal has consistently held that only substantial procedural irregularities can render a disciplinary sanction unlawful.<sup>35</sup>

50. The basis of Mr. Awadat's challenge of his due process rights on appeal is that the alleged misconduct occurred on 26 August 2018 but his first interview by DIOS took place on 24 May 2021, some three years later.<sup>36</sup> He argues that being interviewed three years after the alleged misconduct hindered his ability to defend himself. Additionally, he asserts that the passage of time also affected both his and his witnesses' ability to recall events accurately.

51. We disagree. A staff member's due process rights come into operation when they are formally notified of the allegations against them,<sup>37</sup> and not at the time the alleged misconduct occurred. The record shows that Mr. Awadat was formally notified of the investigation into his misconduct on 18 May 2021.<sup>38</sup> He was interviewed by DIOS on 24 May 2021 and 31 May 2021. Therefore, there was only a six-day period between the notification of the investigation and his first interview. He was given adequate opportunity to know the allegations and respond.

52. Based upon the foregoing, we do not find that the Agency violated Mr. Awadat's due process rights.

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<sup>35</sup> *Maguy Bamba v. Secretary-General of the United Nations*, Judgment No. 2022-UNAT-1259, para. 56 (internal citations omitted).

<sup>36</sup> Appeal brief, para. 61.

<sup>37</sup> *Cabrera v. Secretary-General of the United Nations*, Judgment No. 2012-UNAT-215, para. 47.

<sup>38</sup> Impugned Judgment, para. 13.

*Request for compensation*

53. Mr. Awadat submits that the contested decision caused bodily harm, psychological damage, moral harm, and financial loss. He requests compensation of JOD 32,000 for losing his termination indemnity, JOD 60,000 for loss of monthly salary and various increments until retirement, and JOD 10,000 for health-related, psychological, and moral damage. Mr. Awadat further requests compensation for losing his right to benefit from the Provident Fund until his retirement.

54. As we stated in *Kebede*:<sup>39</sup>

(...) compensation for harm shall be supported by three elements: the harm itself; an illegality; and a *nexus* between both. It is not enough to demonstrate an illegality to obtain compensation; the claimant bears the burden of proof to establish the existence of negative consequences, able to be considered damages, resulting from the illegality on a cause-effect lien.

55. Since no illegality was found, there was no justification for the award of any compensation, and Mr. Awadat's claim for compensation is rejected. As this Tribunal has stated before, compensation cannot be awarded when no illegality has been established, "it cannot be granted when there is no breach of the staff member's rights or administrative wrongdoing in need of repair".<sup>40</sup>

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<sup>39</sup> *Kebede v. Secretary-General of the United Nations*, Judgment No. 2018-UNAT-874, para. 20 (internal citation omitted).

<sup>40</sup> *Ali Abdel Mon'em Aref Al Khatib v. Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East*, Judgment No. 2021-UNAT-1153/Corr.1, para. 65 (internal citations omitted).

**Judgment**

56. Mr. Awadat's appeal is dismissed, and Judgment No. UNRWA/DT/2024/050 is hereby affirmed.

Original and Authoritative Version: English

Dated this 31<sup>st</sup> day of October 2025 in New York, United States.

*(Signed)*

Judge Forbang, Presiding

*(Signed)*

Judge Sandhu

*(Signed)*

Judge Gao

Judgment published and entered into the Register on this 26<sup>th</sup> day of November 2025 in New York, United States.

*(Signed)*

Juliet E. Johnson, Registrar