UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NY/2009/JAB/2007/050
Order No.: 57 (NY/2010)
Date: 25 March 2010
Original: English

Before: Judge Adams

Registry: New York

Registrar: Hafida Lahiouel

KOH

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

ORDER ON COMPENSATION

Counsel for applicant:
H Esther Shamash, OSLA
Brian Gorlick, OSLA

Counsel for respondent:
Natalie Boucly, UNDP
Peri Johnson, UNDP

1. On 19 March 2010, I received a joint submission on compensation in compliance with my order in judgment UNDT/2010/040 of 5 March 2010.

2. As a preliminary matter, the parties brought to the Tribunal's attention that certain facts in UNDT/2010/040 were in error. These facts were stated in the submission of counsel for the applicant and as they were not disputed by the respondent, accepted for the purposes of my judgment. The true facts are that all short-listed candidates were internal, including one who was granted internal status on an exceptional basis; three of the candidates were long-serving, two had over 15 years of experience and one was displaced.

3. While I note this discrepancy, it does not have any significant impact on my finding.

4. The parties have agreed to the total net amount of compensation to be USD107,107.60.

IT IS ORDERED THAT —

1. The respondent make payment of USD107,107.60 to the applicant by COB Friday, 9 April 2010, plus interest at 8 per cent per annum thereafter.

(*Signed*)

Judge Adams

Dated this 25th day of March 2010