

**Before:** Judge Eleanor Donaldson-





**Parties' Submissions**

16. K'ku'vj g"Cr r nēcpvā"ecug"vj cv'vj g'Tgur qpf gpvā'f gekukqp"vq"ugpf "j ko "j qo g"ku" tantamount to being placed on SLWFP. In so doing, he contends, the Secretary-General was in effect circumventing the provisions of staff regulation 9.3 and staff rule 9.8.

17. Vj g'Tgur qpf gpvā'r tko ct {"cti wo gpv'ku'qpg"qh'tgegkxcdk{k\0Cu"vj g"Cr r nēcpv' received the MEU decision on 28 May 2019 upholding the decision to not renew his contract when it expires, time for filing the subject application of this judgment began to run from then. Vj g"Cr r nēcpvā"ugeqpf "tgs wguv'hqt"o cpci go gpv'gxcnēcvkqp"qp"48" June 2019 did not reset the clock, as both requests were hqt"ōtgxky "qh"vj g"uco g" cf o kpkutcvkxg" f gekukqp." pco gn {" vj g" f gekukqp" pqv' vq" tgpgy ö" vj g" Cr r nēcpvā" appointment.

18. According to the Respondent, this application before the Tribunal is therefore time-barred.

19. The Respondent makes the further argument that the application should be dismissed for want of merit because the decision to abolish the post encumbered by the Applicant was lawful. Vj g"Cr r nēcpvā'erko "vj cv'j g"y cu'r nēgf "qp"ur gekn'ngcxg" with full pay is incorrect and there was no *de facto* termination on 16 May 2020.

**Considerations**

*Receivability*

20. Vj g'Tgur qpf gpvā"uwdo kukqpu"qp"tgegkxcdk{k\ reflect a misunderstanding of the impugned decision being challenged in this case. The Tribunal finds that the Applicant has clearly articulated his grievance. He is not challenging the abolition of his post. The decision being challenged is the decision which saw the Apprēcpv'ōugpv' j qo gö"on 16 O c {"423; .y j lej "f gekukqp"vj g"cr r nēcpv'ej ctcevgtkugu"cu"ōvto kpcvkqp"qh" cr r qkpw gpvō" wpf gt" vj g" i wkug" qh" ōur gekn' ngcxg" y kj " hwm' r c {"06" The MEU





