

The Application and Procedural History

1. The Applicant in the present case is a satellite technician at the United Nations Operations in Cote d'Ivoire (UNOCI). He holds a fixed term appointment at the GS5 level.

2. On 2 April 2014, the Applicant was placed on administrative leave without pay (ALWOP/impugned decision) and notified of the decision on 4 April 2014. The letter informing him of the impugned decision was signed by the Under-Secretary General of the Department of Field Support (USG/DFS). The letter explains that the Applicant is being placed on administrative leave because "there is sufficient *prima facie* evidence that [he] engaged in" the collection of "pornographic images and videos, including that of children, using United Nations owned equipment at UNOCI.

3. The Applicant responded to that letter on 4 April 2014, raising a number of objections to the imposition of the measure and objected particularly to the deprivation of income pending the outcome of the investigation. There has been no response to that letter.

4.

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“administrative leave may be imposed during the investigation whereas the suspension without pay a disciplinary measure imposed at the end of the process

14. The Applicant argues that there is no reason to refuse to pay a staff member who “remains available to work”

18. The dire financial situation facing the Applicant as a result of the impugned decision also makes this ma

24. A suspension of action order is, in substance and effect, akin to an interim order of injunction in national jurisdictions. It is a temporary order made with the purpose of providing an applicant temporary relief by maintaining the *status quo* between the parties to an application pending trial. It follows, therefore, that an order for suspension of action cannot be obtained to restore a situation or reverse an allegedly unlawful act which has already been implemented.

25. Neither Party has submitted on the implementation of the impugned decision. But the Applicant's submissions indicate that the "Applicant has been deprived of his salary only two weeks ago."

26. Therefore, before entering into a discussion on whether the Applicant met the test for the injunctive relief that is sought, the Tribunal

