
UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NBI/2015/002

Order No.: 004 (NBI/2015)

Date: 20 January 2015

Original: English

Before: Judge Nkemdilim Izuako

Registry: Nairobi

Registrar: Abena Kwakye-Berko

JOY

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**ORDER ON AN APPLICATION FOR
SUSPENSION OF ACTION**

Counsel for the Applicant:

Self represented

Counsel for the Respondent:

Steven Dietrich, ALS/OHRM

Alistar Cumming, ALS/OHRM

Introduction

1. The Applicant is a Security Assistant at the United Nations Assistance Mission for Iraq (UNAMI). He serves at the GL 3 level on a fixed-term appointment.
2. On 12 January 2015, he filed an Application for Suspension of Action, pending management evaluation in respect of a decision by the UNAMI Chief of Mission Support (CMS) and the Chief of Administrative Services (CAS) to terminate his appointment.
3. The Respondent filed a Reply to the Suspension of Action Application on 13 January 2015. He appended the Management Evaluation Unit's response to the Applicant's request for management evaluation dated 12 January 2015.

Facts

4. In June 2014, UNAMI in cooperation with the Department of Field Support ("DFS") at the United Nations Headquarters undertook a comprehensive Civilian Staffing Review (CSR) exercise. As a result of the CSR exercise, UNAMI decided to abolish a number of positions under the UNAMI Security Section.
5. On 15 November 2014, the Applicant received a letter from the UNAMI CMS notifying him that his post had been proposed for abolishment effective 1 January 2015.
6. The General Assembly took the final decision on UNAMI's 2015 budget on 29 December 2014 and approved the proposed abolishment of posts in the Security Section of UNAMI.
7. The Applicant requested management evaluation of the decision to terminate his appointment on 30 November 2014.
8. Thereafter, on 12 January 2015, he sought a Suspension of Action pending the outcome of his management evaluation request.

Considerations

9. Applications for suspension of action are governed by arts. 2.2 and 10.2 of the Statute of the Dispute Tribunal and arts. 13.1 and 14 of the Tribunal's Rules of Procedure.

10. Article 2.2 governs applications for suspension of actions pending

