

UNITED NATIONS D

## **Introduction and Procedural History**

1. The Applicant is the Chief Resident Auditor, with the Office of Internal Oversight Services ( OIOS ) at the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo serves on a fixed-term appointment at the P-5 level.

2. On 15 July 2020, the Applicant sought a suspension of action pending management evaluation before the United Nations Dispute Tribunal in Nairobi. The [redacted] him on administrative leave with pay [redacted] of 16 July 2020 pending review of the OIOS Investigation Report.

3. The Respondent filed his reply to the application on 20 July 2020. In [redacted] reply and serving it on the Applicant, the Registry informed the parties pleadings in this application are now closed.

4. On 21 July 2020, the Applicant filed a motion for leave to respond to the [redacted] reply. This Motion is refused.

## **Facts**

5. On 10 December 2019, the Applicant received an email from the OIOS informing him that he was the subject of an investigation regarding allegations that he did not report rape and that he attempted to interfere with the investigation by seeking to negotiate payment of money to the alleged victim for her to withdraw her rape complaint. The Applicant was told that he was being investigated for [redacted]

6. On 13 January 2020, the Under-Secretary General for Management, Strategy, Policy and Compl [redacted] -







to have suspended.

23. As the Applicant has not satisfied the limb of *prima facie* unlawfulness, there is