



Introduction

1. The Applicant is a Joint Operations Officer (“JOO”) at the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic (“MINUSCA”). She serves on a continuing appointment at the P-4 level.
2. On 9 April 2021, she filed an application for suspension of action (“SOA”) seeking to suspend the decision to reassign her to a P-4 Substantive Operation Support/Coordination Officer (“the Position”) in MINUSCA (“the contested decision”).
3. The Respondent filed his reply on 13 April 2021.

Relevant facts

4. On 25 September 2018, a former United Nations Police (“UNPOL”) staff member made a formal complaint of harassment against the Applicant. A fact-finding panel was convened by the Special Representative of the Secretary-General (“SRSG”) and Head of MINUSCA to establish the facts and details surrounding the allegations made against the Applicant.¹

5. On 15, 16 and 30 November 2018, the Applicant submitted a management evaluation request (“MER”) concerning the decision to deprive her of her functions including her removal as Deputy Chief, Joint Operation Centre (“JOC”). She also challenged how her first reporting officer (“FRO”) and second reporting officer (“SRO”) had managed her performance during the 2017-18 performance cycle, among other things.

of JOC; redoing her 2017-2018 performance evaluation; and assigning her tasks and responsibilities commensurate to a P-4 JOO.³

7. By memorandum dated 17 February 2020, the SRSG/MINUSCA informed the Applicant of the outcome of the 25 September 2018 complaint. The fact-finding panel had found that she had created an unhealthy working environment by engaging in abuse of authority and harassment against the UNPOL staff member within JOC and that her behavior was inappropriate and constituted a breach of the United Nations core values of respect for diversity.⁴ The SRSG concurred with the fact-

March 2021.⁷

10. On 8 April 2021, the Applicant submitted a management evaluation request concerning the contested decision.⁸

Considerations

11. Articles 2.2 of the Dispute Tribunal's Statute and 13 of the Tribunal's Rules of Procedure, which clothe the Tribunal with jurisdiction over applications for suspension of action, require an applicant to satisfy the Tribunal that the contested decision appears *prima facie* to be unlawful, that the matter appears to be of particular urgency and that its implementation would appear to cause irreparable damage.

Is the contested decision prima facie

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