

16. Indeed, both in her submissions as well as in her sworn statement, the Applicant presents a different version and interpretation of the events mentioned in the contested decision and provides a different context for those.

17. However, none of those arguments are sufficiently persuasive, nor do they question the fact that a complaint was made against her, and that complaint is currently being investigated by OIOS.

18. Due to the nature of her functions (and the senior role she plays) the Tribunal finds that the contested decision does not appear to be irrational nor blatantly illegal.

19. Moreover, at the current stage of the proceedings, the Tribunal is not able to fully assess the facts and to ponder the evidence as to conclude what has actually happened and whether the underlying reasons provided for by the Responded are not factually grounded.

20. From the Tribunal's point of view, the arguments raised by the Applicant are not sufficient to cast doubts on the legality of the administrative decision to place the applicant on ALWP.

21. In fact, according to the internal rules, placing a staff member on administrative leave (with or without pay) constitutes a prerogative of the organization and provided that the legal requirements are met, it does not appear as *prima facie* illegal.

22. In this regard, Staff rule 10.4(a) provides that “[a] staff member may be placed on administrative leave, subject to conditions specified by the Secretary-General, at any time after an allegation of misconduct and pending the completion of a disciplinary process” and that such leave “may continue until the completion of the disciplinary process”. If a staff member is placed on administrative leave, then s/he shall be “given a written statement of the reason(s) fe s% s po

IT IS ORDERED THAT:

31. In light of the above, the application for suspension of action is rejected.

(Signed)

Judge Teresa Bravo

Dated this 14th day of April 2022