

conflict. This included the office in Kisangani, where the Applicant was deployed and the post he encumbered. To this end, the Respondent set 31 May 2019 as the provisional date for closure of the Kisangani site; staff assigned to the site were kept informed, and offered assistance with finding alternative employment.

8. On 2 April 2019, the Applicant was notified that his contract would not be renewed when it comes to expire on 30 June 2019. This decision was reiterated in a subsequent communication dated 29 May 2020.

9. Qp"52"O c{"423; ."v j g"Cr r rkecpv'u" f w{"ucvkpp"enqugf "f qy p"cpf "cm'uxhh" members were sent home. The Applicant has not performed any work for MONUSCO in Kisangani since then.

10. On 26 June 2019, the Applicant filed a request for management evaluation to contest the *de facto* termination of his contract on 30 May 2019 and claimed termination indemnities.

11. The Applicant separated from service on 30 June 2019.

12. On 30 August 2019, the Applicant received the decision from the Management Evaluation Unit (MEU) upholding the impugned decisions.

Parties' submissions

13. K'ku"vj g"Cr r rkecpv'u"ecug"vj cv"vj g"Tur qpf gpv'u" f gekukpp"vq"ugpf "j ko "j qo g"ku" tantamount to being placed on SLWF). In so doing, he contends, the Secretary-General was in effect circumventing the provisions of staff regulation 9.3 and staff rule 9.8.

14. Vj g"Tur qpf gpv'u"r tlo ct {"cti wo gpv"ku"qpg"qh'tgegkcdkky(O'Cu"vj g"Cr r rkecpv' was notified on 2 April 2019 that his contract would not be renewed, time for requesting management evaluation began to run from then. This Tribunal has no jurisdiction to consider the application because the Applicant did not request management evaluation within the statutory time frame.

where the necessities of service call for the abolition of posts or the reduction of the staff.

20. The facts of this case are simple. Having proposed closure of the Kisangani site to the General Assembly and the corollary budgetary reductions, the Respondent proceeded with the implementation of his proposal. The natural consequence of this process was that the Applicant was left with no tasks to perform. Rather than reduce

(Signed)

Judge Eleanor Donaldson-Honeywell

Dated this 29th day of June 2020

Entered in the Register on this 29th day of June 2020

(Signed)

Abena Kwakye-Berko, Registrar, Nairobi