



Before: Judge Agnieszka Klonowiecka-Milart

Registry: Nairobi

Registrar: Abena Kwakye-Berko

BA

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

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

Counsel for the Applicant:
Self-

Procedural history

1. The Applicant is a staff member of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO).
2. On 17 October 2016, the Applicant filed a request for management evaluation contesting the decision to reassign him from Kinshasa to Goma and to end his special post allowance (SPA) at the P-5 level.
3. On 23 October 2016, the Applicant filed an incomplete Application with the United Nations Dispute Tribunal (the Tribunal) seeking suspension of the implementation of the decision to reassign him to the post that he originally encumbered in Goma and to end the payment of his SPA at the P-5 level. The Applicant completed his initial Application on 24 October 2016. The Application was transmitted to the Respondent on 25 October 2016.
4. The Respondent filed his Reply on 27 October 2016.

Facts

5. The Applicant joined MONUSCO in February 2010 as a Public Information Officer at the P-4 level in Kinshasa. In July 2014, the Applicant was transferred from Kinshasa to Goma. On 4 May 2015, the Applicant was temporarily assigned from Goma to Kinshasa to assume the functions of Officer-in-Charge, Radio Okapi, at the P-5 level. The Applicant was subsequently granted an SPA at the P-5 level for the period from 4 August 2015 to 3 August 2016.
6. In March 2016, MONUSCO advertised the position of Senior Public Information Officer/Chief, Radio Okapi, at the P-5 level, as recruitment from the roster. No suitable candidates were identified. The Applicant, who is not on the roster at the P-5 level, was ineligible to apply.
7. In July 2016, the Special Representative for the Secretary-General (SRSG) decided to fill the vacant position of Chief, Radio Okapi on a temporary basis. On 14 July 2016, a female candidate was selected.

8. By letter dated 7 October 2016, the Applicant was informed of the

18. The Tribunal finds that since the