

---

Case No.: UNDT/NBI/2022/006

UNITED NATIONS DISPUTE TRIBUNAL

## **Introduction**

1. The Applicant was a P-4 Political Affairs Officer (“PAO”) with the United Nations Assistance Mission for Iraq (“UNAMI”).
2. On 7 January 2022, he filed an application with the Dispute Tribunal contesting the decision to not renew his fixed-term appointment beyond its expiration date of 31 December 2021.
3. The Respondent filed a reply to the application on 9 February 2022.
4. By a motion filed on 1 July 2022 and supplemented by email on the same date, the Applicant seeks an order for interim measures to be paid basic salary from the date of separation to the present date and to “put on hold” the P-4 PAO vacancy in UNAMI until UNAMI agrees to apologize to him and compensate him.
5. Following a round of clarifications sought from the Applicant regarding his multiple filings, by way of correspondence with the UNDT Registry and case management discussion held on 6 July 2022, the Respondent filed a response to applicant’s motions on 7 July 2022.

## **Submissions**

### *The Applicant’s submissions*

6. The Applicant’s case is summarized below:
  - a. UNAMI acted unlawfully in issuing the decision of his retrenchment following an unlawful reclassification exercise which led to the loss of his job.
  - b. UNAMI obtained the classification downgrading his position on the false premise of budget constraints yet the post was advertised on 19 June 2022 as job opening No. 30048407.



that position was reassigned to the United Nations Support Mission in Libya (“UNSMIL”) on promotion in April 2022. The reassigned staff member encumbered post number 30050635, not post number 30048407 that was previously encumbered by the Applicant. Accordingly, the job opening for the P-4 PAO position was advertised against the post number 30050635. There is nothing to support the Applicant’s claim that the P-4 job opening was for the exact number and grade as the post he encumbered.

b. Contrary to the Applicant’s claim, the P-4 post that he encumbered was classified downward in line with the General Assembly’s creation of a new P-3 post. The new P-3 post number 30048407 was also advertised from 19 June to 3 July 2022. The Applicant neither appl

Case No.: UNDT/NBI/2022/006

Order No.: 077