
UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NY/2023/029

Order No.:

Introduction

1. On 2 September 2023, the Applicant, Chief of Mission Support, United Nations Support Mission in Libya (“UNSMIL”), (at the D-1 level), filed an application contesting the decision of the Special Representative of the Secretary-General for Libya and Head of Mission, UNSMIL (“SRSG”) to place her on administrative leave with pay (“ALWP”), dated 19 April 2023.

2. On 5 October 2023, the Respondent filed his reply contending that the application is meritless. The Respondent submitted that the SRSG’s decision to place the Applicant on ALWP was lawful, reasonable and proportionate.

3. On 14 October 2023, the Applicant filed a motion, *inter alia*, seeking leave to submit further evidence in regard to the status of her ALWP. The Applicant additionally requests that the Tribunal restrain the Respondent from the publication of any vacancy announcement seeking to fill the Applicant’s post in the interim.

Consideration

4. Pursuant to art. 19 of the Rules of Procedure of the Dispute Tribunal, the Tribunal may at any time issue an order or give any direction which appears to be appropriate for the fair and expeditious disposal of a case and to do justice to the parties.

5. The Applicant’s request to submit further evidence in regard to the status of her ALWP is relevant to the case and is therefore admitted to the case file.

6. In regard to the Applicant’s request that the Tribunal restrain the Respondent from the publication of any vacancy announcement seeking to fill the Applicant’s post in the interim, the Tribunal notes that this request has been adjudicated by Order No. 124 (NY/2023) dated 2 November 2023.

7. Having taken into consideration the pleadings of the parties, the Tribunal has concluded that the parties should file further submissions.

