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UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NBI/2022/096

Judgment No.: UNDT/2022/113

Date: 19 October 2022

Original: English

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**Before:** Judge Agnieszka Klonowiecka-Milart

**Registry:** Nairobi

**Registrar:** Abena Kwakye-Berko

TURK

v.

SECRETARY-GENERAL  
OF THE UNITED NATIONS

**JUDGMENT**

## **Introduction**

1. The Applicant is a former P-4 Political Affairs Officer (“POA”) with the United Nations Assistance Mission for Iraq (“UNAMI”).

2. On 17 October 2022, he filed an application with the Dispute Tribunal contesting a decision which he describes as follows:

This is a request of appeal against discriminatory decision on 1 November 2021 of establishing so-called Comparative review Panel to select the staff member with lowest score, which was myself, as the entrenched staff member in light of the Secretary General request to downgrade a P4 position, which also proved to be fake. I was that victim of UNAMI’s leadership personal prejudices and self-motivated interests[.]

3. On 18 October 2022, the Applicant filed documentation to attest to the fact that the comparative review process (“CRP”) was a “malicious chain of events” used by the UNAMI Administration to violate the United Nations Staff Regulations and Rules.

## **Facts**

4. On 28 October 2021, the UNAMI Chief Human Resources Officer (“CHRO”) informed the Applicant that he would be subjected to a CRP and shared the CRP’s terms of reference.<sup>1</sup>

5. On 24 November 2021, the CRP Panel compared the six UNAMI P-4 PAOs, including the Applicant, who served on fixed-term appointments.<sup>2</sup>

6. By letter dated 30 November 2021, the UNAMI Chief of Mission Support informed the Applicant that he had been identified for retrenchment in the CRP and that as a result, his appointment would not be renewed beyond 31 December 2021 in line with staff rule 9.4.<sup>3</sup>

7. On 7 December 2021, the Applicant sought management evaluation of the

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<sup>1</sup> Application, section VII(2) and unnumbered annex to the application.

<sup>2</sup> *Ibid.*, at section VII(3).

<sup>3</sup> *Ibid.*, at section VII(4) and annex 2.



