



Before: Judge Agnieszka Klonowiecka-Milart

Registry: Nairobi

Registrar: Abena Kwakye-Berko

TOURE

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**ORDER ON AN APPLICATION FOR
SUSPENSION OF ACTION PENDING
MANAGEMENT EVALUATION**

Counsel for the Applicant:
Self-represented

Counsel for the Respondent:
Nusrat Chagtai, AAS/ALD/OHR

INTRODUCTION

1. The Applicant is a Filed Office Manager at the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO). He serves on a continuing appointment at the P3 level and is based in Lumumbashi.

The Application

2. On 15 July 2019, the Applicant moved, pursuant to art. 13 of the Rules of Procedure, to suspend the Respondent's decision to separate him from service upon expiry of his current contract on 12 July 2019. The Respondent's decision is based on the putative abolition, by the General Assembly, of the post encumbered by the Applicant. The Applicant alleges impropriety in the decision-making process. He contends that due regard was not given to the fact that he holds a continuing appointment, and that two other Filed Office Managers at the same level, who hold fixed term appointments and not rostered, have been retained.

3. The Application was served on the Respondent on the day it was received by the Registry, and the latter filed his Reply on 17 July 2019. The Respondent submits that the Tribunal lacks jurisdiction to consider the application because the impugned decision has already been suspended "pending management evaluation."

ORDER

4. As the Respondent has suspended implementation of the impugned decision pending management evaluation, the Tribunal considers the application for suspension of action before it to be moot.

5. This application for suspension of action is **DISMISSED**.

(Signed)
Judge Agnieszka Klonowiecka-Milart

Dated this 18th day of July 2019

Entered in the Register on this 18th day of July 2019

(Signed)

Abena Kwakye-Berko, Registrar, Nairobi