

# **UNDT/2011/107, Nwuke**

## **UNAT Held or UNDT Pronouncements**

The Tribunal held that the Applicant had not raised a *prima facie* case as to warrant a suspension of action.

## **Decision Contested or Judgment/Order Appealed**

The Applicant contested the decisions: (a) not to advertise the post of Director, Office of Strategic Planning and Programme Management (“OPM”), ECA, which was due to become vacant on 1 June 2011; b) to fill the soon-to-be vacant post of Director/PM through lateral transfer; c) to transfer a vacancy in OPM to the Regional Integration, Infrastructure and Trade Division (“RIITD”), ECA; d) to advertise *de novo* the post of Director/IITD; and e) not to either appoint an Officer-in-Charge (“OIC”) for RIITD and/or issue a temporary vacancy announcement (“TVA”) for the post.

## **Legal Principle(s)**

N/A

## **Outcome**

Dismissed on merits

## **Outcome Extra Text**

The application for suspension of action was rejected.

## **Full judgment**

[Full judgment](#)

## Applicants/Appellants

Nwuke

## Entity

ECA

## Case Number(s)

UNDT/NBI/2011/025

## Tribunal

UNDT

## Registry

Nairobi

## Date of Judgement

23 Jun 2011

## Duty Judge

Judge Boolell

## Language of Judgment

English

## Issuance Type

Judgment

## Categories/Subcategories

Jurisdiction / receivability (UNDT or first instance)

Subject matter (ratione materiae)

Reassignment or transfer

Staff selection (non-selection/non-promotion)

Selection decision

Suspension of action / interim measures

Discretionary authority

## Applicable Law

Administrative Instructions

- ST/AI/2010/3

UNDT RoP

- Article 13

UNDT Statute

- Article 2.1
- Article 2.2