

# UNDT/2014/100, Keegan

## UNAT Held or UNDT Pronouncements

What the Applicant is seeking to challenge is the Secretary-General's implementation of General Assembly resolution 65/248, which led to the discontinuation of payment of the MSA. The new conditions of service that discontinues the application of the temporary assignment to a non-family duty station as of 1 October 2011, is not an emanation of the Secretary General's discretion. This General Assembly decision was binding on the Secretary-General, and its implementation affected staff across the Organization. This matter is materially outside the Tribunal's jurisdiction.

## Decision Contested or Judgment/Order Appealed

The Applicant is contesting changes to his conditions of service as a result of General Assembly Resolution 65/248, which he maintains resulted in the arbitrary discontinuance of his temporary assignment to a non-family duty station as of 1 October 2011, and thus breaching his acquired rights.

## Legal Principle(s)

N/A

## Outcome

Dismissed as not receivable

Full judgment

[Full judgment](#)

Applicants/Appellants

Keegan

Entity

MONUSCO

Case Number(s)

UNDT/NBI/2011/77

Tribunal

UNDT

Registry

Nairobi

Date of Judgement

17 Jul 2014

Duty Judge

Judge Boolell

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

TEST -Rename- Benefits and entitlements-45

Jurisdiction / receivability (UNDT or first instance)

Subject matter (ratione materiae)

Applicable Law

## GA Resolutions

- A/RES/65/248

## Secretary-General's bulletins

- ST/SGB/2011/1

## UNDT RoP

- Article 8.2(e)

## UNDT Statute

## UNAT Statute

- Article 2.1(a)

## Related Judgments and Orders

2010-UNAT-058