

# **UNDT/2014/101, Dagadu**

## 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

Dagadu

## Entity

UNAMID

## Case Number(s)

UNDT/NBI/2011/83

## Tribunal

UNDT

## Registry

Nairobi

## Date of Judgement

17 Jul 2014

## Duty Judge

Judge Boolell

## Language of Judgment

English

## Issuance Type

Judgment

## Categories/Subcategories

Benefits and entitlements

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