

UNDT/2020/046, Kanbar

UNAT Held or UNDT Pronouncements

The application was dismissed. The Tribunal reasoned that in light of staff regulation 1.2(c) and the Applicant's job description, reassigning her from one work station to another within UNIFIL was legitimate. Therefore, the impugned decision being a lawful exercise of discretion, there was no basis to rescind it.

Decision Contested or Judgment/Order Appealed

The Applicant contested UNIFIL's decision to redeploy her from the Chinese Constructing Engineering Unit (CHINCEU 2-31) in Sector West to INDOBATT 7-1 in Sector East.

Legal Principle(s)

According to staff regulation 1.2(c), staff members are subject to the authority of the Secretary-General and to assignment by him or her to any of the activities of the United Nations. As per the settled jurisprudence, the reassignment of a staff member's functions comes within the broad discretion of the Organization to use its resources and personnel as it deems appropriate.

Outcome

Dismissed on merits

Full judgment

[Full judgment](#)

Applicants/Appellants

Kanbar

Entity

UNIFIL

Case Number(s)

UNDT/NBI/2018/047

Tribunal

UNDT

Registry

Nairobi

Date of Judgement

1 Apr 2020

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Reassignment or transfer

Applicable Law

Staff Regulations

- Regulation 1.2(c)

UNDT Statute

- Article 2.1