



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NY/2022/059  
Order No.: 114 (NY/2022)  
Date: 28 December 2022  
Original: English

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**Before:** Judge Francis Belle  
**Registry:** New York  
**Registrar:** Pallavi Sekhri, Officer-in-Charge

OVCHARENKO ET AL.

v.

SECRETARY-GENERAL  
OF THE UNITED NATIONS

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**ORDER**

**ON AN APPLICATION FOR**

**SUSPENSION OF ACTION**

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**Counsel for Applicant:**  
George Irving

**Counsel for Respondent:**  
Lucienne Pierre, AS/ALD/OHR, UN Secretariat  
Jenny Kim, AS/ALD/OHR, UN Secretariat

## **Introduction**

1. On 21 December 2022, the Applicants filed an application for suspension of implementation of “the decision taken in Staff Management Committee meeting held on 7 December 2022 rejecting proposals to defer implementation of the new policies affecting the working conditions of translators, revisers and editors,” pending management evaluation.

2. On 27 December 2022, upon the order of the Tribunal, the Respondent filed his reply stating that the application is not receivable because on 23 December 2022, “the Management Evaluation Unit provided the Applicants with the outcome of their requests for management evaluation”.

## **Consideration**

3. Under art. 2.2 of the Dispute Tribunal’s Statute and art. 13.1 of the Rules of Procedure, the Tribunal may suspend the implementation of a contested administrative decision during the pendency of management evaluation. For an application for suspension of action to be receivable, a response to a request for management evaluation must therefore be pending.

4. To the Respondent’s reply, he appends a response from the Management Evaluation Unit to Counsel for the Applicant dated 23 December 2022 regarding their cases in which is stated that “[f]ollowing a review of your submissions, we regret to inform you that the requests are not receivable [...]”.

5. The Tribunal therefore concludes that no management evaluation is pending in this case.

**Conclusion**

6. The application for suspension of action is rejected as not receivable.

*(Signed)*

Judge Francis Belle

Dated this 28<sup>th</sup> day of December 2022