



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NBI/2021/092

Order No.: 239 (NBI/2021)

Date: 26 October 2021

Original: English

Before: Judge Margaret Tibulya

Registry: Nairobi

Registrar: Abena Kwakye-Berko

CORN

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**ORDER ON AN APPLICATION FOR
SUSPENSION OF ACTION PENDING
MANAGEMENT EVALUATION**

Counsel for the Applicant:

Evelyn W. Kamau, OSLA

Counsel for the Respondent:

Clémentine Foizel, AAS/ALD/OHR, UN Secretariat

Background

1. The Applicant is a Child Protection Officer at the United Nations Mission in South Sudan (“UNMISS”) based in Bor, South Sudan. On 21 October 2021, she filed an application requesting for suspension of action (“SOA”), pursuant to art. 13 of the UNDT Rules of Procedure, of UNMISS Administration’s refusal to extend her separation date from 22 October 2021 to 16 November 2021 (“the contested decision”).
2. As part of her application, the Applicant also filed a motion requesting the Tribunal to order the suspension of the contested decision pending the art. 13 suspension of action proceedings (“Villamorán Order”) which it did vide Order No. 235 (NBI/2021).
3. The Respondent’s reply was filed on 25 October 2021.

Consideration

4. In his reply, the Respondent advises the Tribunal that UNMISS’s Human Resources has postponed the release date of the Applicant to 17 November 2021 rendering the application moot.
5. It follows, from the above, that since the contested decision has been rescinded, the application for suspension of action pending management evaluation before this Tribunal has become moot.

ORDER

6. The application is rejected as being moot.

(Signed)

Judge Margaret Tibulya

Dated this 26th day of October 2021

Entered in the Register on this 26th day of October 2021

(Signed)

Abena Kwakye-Berko, Registrar, Nairobi