



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NBI/2025/033
Order No.: 42 (NBI/2025)
Date: 3 April 2025
Original: English

Before: Judge Sean Wallace

Registry: Nairobi

Registrar: Wanda L. Carter

KIWAN

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

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

Counsel for Applicant:

Self-represented

Counsel for Respondent:

Sandra Lando, UNHCR
Elizabeth Brown, UNHCR

Introduction

1. The Applicant is an Assistant Public Health Officer (NOA, step 9 level) at the Office of the United Nations High Commissioner for Refugees (“UNHCR”) in Lebanon.
2. On 27 March 2025, the Applicant filed an application for suspension of action to stay the Respondent’s decision to select another candidate for the position of Associate Public Health Officer (NOB level) (“the Position”) following a recruitment process (“the contested decision”).
3. The application was served on the Respondent on 28 March 2025 with a deadline to file a reply by 2 April 2025 which the Respondent complied with. The Respondent informed the Tribunal that the contested decision has since been rescinded. “In other words, there is no administrative decision to be implemented that can be suspended.”

Facts and Procedural History

4. On 4 February 2025, the Applicant was informed of the contested decision.
5. The Applicant filed a request for management evaluation of the contested decision on 25 March 2025 and, on 27 March 2025, sought an order from this Tribunal to suspend implementation of that decision pending the completion of management evaluation.
6. On 26 March 2025, considering the dire financial situation and the strategy to disengage from the health sector in Lebanon, the UNHCR Representative in Lebanon decided to discontinue the Position and rescind the assignment of the selected candidate.
7. On 27 March 2025, the UNHCR Assistant Representative (Programme) in Lebanon met with the selected candidate to inform her of the discontinuation of the Position, and the rescission of her assignment

Considerations

8. The Tribunal notes that the contested decision has been rescinded.
9. It thus follows that the application has been rendered moot because there is no pending decision for the Tribunal to suspend.

Conclusion

10. In view of the foregoing, the application for suspension of action pending management evaluation is dismissed as moot.

(Signed)

Judge Sean Wallace

Dated this 3rd day of April 2025

Entered in the Register on this 3rd day of April 2025

(Signed)

Liliana López Bello, for Wanda L. Carter, Registrar, Nairobi