

UNDT/2011/167, Stephens

UNAT Held or UNDT Pronouncements

UNDT held that the application did not meet the test as set out in Article 2.2 of the UNDT Statute, specifically noting that it failed to meet the requirements for irreparable damage and particular urgency. UNDT therefore considered it unnecessary to determine the issue of prima facie unlawfulness.

Decision Contested or Judgment/Order Appealed

The Applicant contested the decision to advertise externally a post and requested UNDT to order the recruitment process be suspended pending management evaluation.

Legal Principle(s)

For UNDT to suspend the implementation of an administrative decision, the decision must appear to be prima facie unlawful, it must concern a matter of particular urgency, and implementation of the decision would cause irreparable damage.

Outcome

Dismissed on merits

Full judgment

[Full judgment](#)

Applicants/Appellants

Stephens

Entity

UN-WOMEN

Case Number(s)

UNDT/NY2011/074

Tribunal

UNDT

Registry

New York

Date of Judgement

22 Sep 2011

Duty Judge

Judge Meeran

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Suspension of action / interim measures

Irreparable damage

Particular urgency

Applicable Law

UNDT RoP

- Article 13

UNDT Statute

- Article 2.2