

# 002 (GVA/2024), Torres Sibille

## UNAT Held or UNDT Pronouncements

The Applicant argued that the contested decision was prima facie unlawful on two grounds: The justification for abolishing her post was false and misleading. UNAMA had created a legal expectation of contract renewal. Regarding the first claim, the Tribunal held that a staff member's disagreement with the rationale behind post abolition does not render the decision unlawful. Additionally, while UNAMA officials could have been more transparent when the Applicant sought clarification, their lack of candor—though unfortunate—did not amount to unlawfulness in the decision not to renew her appointment. On the second claim, the Tribunal found that the Applicant's contract extension was explicitly conditional on the General Assembly rejecting the recommendation to abolish her post. The fact that the Organization made contingency plans in case renewal became necessary was a reasonable procedural step and did not establish a legal expectation of renewal. Ultimately, the Tribunal determined that the Applicant failed to demonstrate that the non-renewal of her contract was prima facie unlawful. Given that a suspension of action requires multiple conditions to be met, it was unnecessary to assess urgency or irreparable harm. As a result, the Tribunal dismissed the application for suspension of action.

## Decision Contested or Judgment/Order Appealed

The Applicant sought suspension of action pending management evaluation of the decision not to renew her fixed-term appointment beyond 31 December 2023.

## Outcome

Suspension of action denied

Full order

[Full order](#)

Individual Party

Torres Sibille

Entity

UNAMA

Case Number(s)

UNDT/GVA/2023/067 (Torres Sibille, Leslie)

Tribunal

UNDT

Registry

Geneva

Date of Order

5 Jan 2024

Duty Judge

Judge Sun

Language of Order

English

Appeal Status

Appealed

Issuance Type

Order

Categories/Subcategories

Suspension of action

Interlocutory or interim appeal / Appeal of UNDT order to UNAT

Applicable Law

## UNDT RoP

- Article 13

## UNDT Statute

- Article 2.2

## Related Judgments and Orders

2021-UNAT-1091

UNDT/2009/003

UNDT/2009/071

UNDT/2009/076

UNDT/2011/133

UNDT/2011/134

UNDT/2011/198

UNDT/2011/212

UNDT/2012/080