

# 102 (NY/2024), Stockholder

## UNAT Held or UNDT Pronouncements

The applicable rule stipulates that an application for interim measures during the proceedings must not concern appointment, promotion or termination. As this was clearly a case where the motion for interim measures concerned appointment, the temporary relief set out in art.14 was unavailable to the Applicant.

Accordingly, the motion for interim measures during the proceedings was rejected.

In any case, the Tribunal noted that the contested decision had already been implemented as the Applicant had been separated from UNHCR.

## Decision Contested or Judgment/Order Appealed

The Applicant filed an application contesting the “[d]ecision to not to extend the Applicant’s [fixed-term appointment for an additional five year period or shorter”.

## Legal Principle(s)

For the Tribunal to consider interim measures, several cumulative conditions set forth in the above-mentioned provisions must be met (see Nadeau Order No. 116 (NY/2015), Harvey Order No. 10 (GVA/2020)).

## Outcome

Interim measure denied

## Outcome Extra Text

The Tribunal granted Respondent’s motion to exceed the page limit for the reply.

## Full order

[Full order](#)

## Individual Party

Stockholder

## Entity

UNHCR

## Case Number(s)

UNDT/NY/2024/032

## Tribunal

UNDT

## Registry

New York

## Date of Order

4 Oct 2024

## Duty Judge

Judge Adda

## Language of Order

English

## Issuance Type

Order

## Categories/Subcategories

Interim measure denied

## Applicable Law

UNDT RoP

- Article 14.1

UNDT Statute

- Article 10.2
- Article 9