



UNITED NATIONS APPEALS TRIBUNAL TRIBUNAL D'APPEL DES NATIONS UNIES

Case No. 2020-1495

Maha Fayek-Rezk

(Appellant)

v.

Secretary-General of the United Nations

(Respondent)

ORDER No. 406 (2021)

1. On 12 November 2020, the United Nations Dispute Tribunal (UNDT) in New York issued Judgment No. UNDT/2020/191 in the case of *Fayek-Rezk v. Secretary-General of the United Nations*, dismissing Ms. Maha Fayek-Rezk's (Appellant) application as not receivable *ratione materiae*. The Appellant had challenged the Administration's refusal to reassign her to her to a post in the French Unit of the Social Media Section.
2. On 30 November 2020, the Appellant filed her appeal of the Judgment with the United Nations Appeals Tribunal (Appeals Tribunal). On 29 January 2021, the Secretary-General (Respondent) filed his answer.
3. On 31 January 2021, counsel for the Appellant filed a Motion to Comment on the Respondent's Answer. On 12 February 2021, the Respondent filed his observations requesting the Appeals Tribunal to reject the motion.
4. As a preliminary matter, the Respondent informed this Tribunal in an e-mail dated 12 January 2021 that Appellant died on 5 January 2021. Additionally, the Respondent also informed the Tribunal that Appellant had recently passed away and annexed a recent article published on the United Nations intranet, iSeek, entitled "In memoriam: Maha Fayek."¹

¹ Article published at iSeek.un.org on 11 January 2021 entitled "In memoriam: Maha Fayek."

5. The Appeals Tribunal notes that under Article 2(2) of Appeals Tribunal Statute (Statute): “An appeal may be filed by either party (i.e., the applicant, a person making claims in the name of an incapacitated or deceased applicant, or the respondent) to a judgement of the Dispute Tribunal.”

6. This Tribunal has not been notified of any authorization allowing counsel for the now-deceased Appellant to represent the estate of the latter. Therefore, the instant proceedings shall be stayed due to the death of Appellant, with no action being taken thereon and any deadlines imposed stayed and preserved until the stay is lifted, if at all, provided, however, that any party to this proceeding may apply to the Tribunal to lift the stay.

IT IS HEREBY ORDERED that the proceedings in this matter are stayed.

Original and Authoritative Version: English

Dated this 26th day of March 2021
in Juiz de Fora, Brazil.

(Signed)
Judge Martha Halfeld,
President

Entered in the Register on this 26th day
of March 2021 in New York, United States.

(Signed)
Weicheng Lin, Registrar