



**Before:** Judge Teresa Bravo

**Registry:** Geneva

**Registrar:** René M. Vargas M.

TARASENKO

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:**

UNICEF

### **Introduction**

1. By application filed on Sunday, 7 March 2021, the Applicant requests suspension of action, pending management evaluation, of the alleged failure of the United Nations Children Fund to facilitate her return to active service.

### **Consideration**

2. Applications for suspension of action are governed by art. 2.2 of the Tribunal's Statute and art. 13 of its Rules of Procedure. They provide that the Tribunal may suspend, during the pendency of the management evaluation, the implementation of a contested administrative decision that is the subject of an ongoing management evaluation, where the decision appears *prima facie* to be unlawful, in cases of particular urgency and where its implementation would cause irreparable damage.

3. It follows that one of the mandatory requirements that applications for suspension of action must meet is that of an *ongoing* management evaluation. The record shows that the Applicant received a response to her request for management evaluation on 9 December 2020 (attached as annex 2 to the application). Consequently, the Tribunal has no jurisdiction to entertain the Applicant's request for suspension of action and cannot but dismiss the related application.

### **Conclusion**

4. In view of the foregoing, the application for suspension of action is rejected.

*(Signed)*

Judge Teresa Bravo

Dated this 9<sup>th</sup> day of March 2021

Entered in the Register on this 9<sup>th</sup> day of March 2021

*(Signed)*

René M. Vargas M., Registrar, Geneva