



**Before:** Judge Eleanor Donaldson-Honeywell

**Registry:** Nairobi

**Registrar:** Abena Kwakye-Berko

LARRIERA

v.

SECRETARY-GENERAL  
OF THE UNITED NATIONS

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**ORDER ON THE RESPONDENT'S  
MOTION FOR SUSPENSION OF  
PROCEEDINGS**

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**Counsel for applicant:**

George Irving

**Counsel for respondent:**

Nicole Wynn, AAS/ALD/OHR, UN Secretariat

Rosangela Adamo, AAS/ALD/OHR, UN Secretariat

## **Introduction**

1. On 2 April 2020, the Applicant filed an application challenging the Respondent's decision to deny her claim under Appendix D of the United Nations Staff Rules. Her application is premised on the contention that she is the surviving spouse of a staff member who died in service in 2003. At the time of the deceased staff member's passing, the Applicant was herself a staff member of the United Nations.

## **Procedural History**

2. The Application was served on the Respondent, whose reply was due on 8 May 2020.

3. On 30 April 2020, the Respondent filed a motion for suspension of proceedings. The Motion is premised on the suggestion that it would be in the interest of the efficient use of the Tribunal's and parties' resources to suspend proceedings pending the written reasoned judgment of the United Nations Appeals Tribunal ("UNAT") on the Applicant's claim as a widow before the United Nations Joint Staff Pension Fund. As UNAT has orally indicated a finding against the Applicant in that claim, the Respondent argues that it would be prudent to wait for UNAT's legal reasoning on the Applicant's factual assertion of her status as the deceased staff member's widow.

4. The Applicant's response to the Respondent's motion was due on 11 May 2020. No submissions have been filed to-date.

## Considerations

5. Absent submissions from the Applicant to the contrary, the Tribunal is persuaded that there is good reason to suspend proceedings pending issuance of the UNAT Judgment.
  
6. The Tribunal makes the following **ORDERS**:
  - i. The motion for suspension of proceedings is **GRANTED**;
  
  - ii. The proceedings in the matter of *Larriera v Secretary General of the United Nations* (UNDT/NBI/2020/026) are suspended pending judgment by UNAT in Case No. 2019-UNAT-1318 (*Larriera*);
  
  - iii. The deadline for the filing of the Respondent's reply is hereby set at two weeks from the date of the UNAT judgment.

(Signed)

Judge Eleanor Donaldson-Honeywell

Dated this 13<sup>th</sup> day of May 2020

Entered in the Register on this 13<sup>th</sup> day of May 2020

(Signed)

Abena Kwakye-Berko, Registrar, UNDT, Nairobi

Case No. UNDT/NBI/2020/026

Order No.: 091 (UNDT/2020)