



Before: Judge Francis Belle
Registry: Nairobi
Registrar: Abena Kwakye-Berko

AGUIRRE

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**ORDER ON AN APPLICATION FOR
SUSPENSION OF ACTION PENDING
MANAGEMENT EVALUATION**

Counsel for the Applicant:
Self-represented

Counsel for the Respondent:
Nicole Wynn, AAS/ALD/OHR
Rosangela Adamo, AAS/ALD/OHR

Introduction

1. The Applicant is a Resident Auditor, in the Office of Internal Oversight Services (“OIOS”), working with the United Nations Mission in South Sudan (“UNMISS”). He serves on a fixed-term appointment (“FTA”) at the P-4 step 9 level.¹

2. On 22 September 2020, the Applicant filed before the United Nations Dispute Tribunal in Nairobi an application for suspension, pending management evaluation, of a decision not to renew his FTA beyond 30 September 2020.

Facts

3. The Respondent filed a reply on 24 September 2020 asserting, *inter alia*, that the application for suspension of action is moot because implementation of the impugned decision has been suspended by OIOS pending management evaluation. The Respondent provided a letter from the Management Evaluation Unit informing the Applicant that the OIOS will extend his appointment during the management evaluation process.²

4. As OIOS has suspended implementation of the impugned decision pending management evaluation, this application for suspension of action is moot and cannot be entertained by the Tribunal.

ORDER

5. This application is for suspension of action is **DISMISSED**.

¹ Application, section I.

² Reply, annex 1.

Case No. UNDT/NBI/2020/077

Order No.: 186 (NBI/2020)

(Signed)

Judge Francis Belle

Dated this 25th day of September 2020

Entered in the Register on this 25th day of September 2020

(Signed)

Abena Kwakye-Berko, Registrar, Nairobi