



**Before:** Judge Margaret Tibulya

**Registry:** Nairobi

**Registrar:** Abena Kwakye-Berko

VAS

v.

SECRETARY-GENERAL  
OF THE UNITED NATIONS

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

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**Counsel for the Applicant:**  
Self-represented

**Counsel for the Respondent:**  
Yehuda Goor, AAS/ALD/OHR, UN Secretariat

## **Introduction**

1. The Applicant is an Air Operations Officer at FS-6 level, working with the United Nations Multidimensional Integrated Stabilization Mission in Mali (“MINUSMA”).<sup>1</sup>
2. On 23 May 2022, he filed an application for suspension of action before the United Nations Dispute Tribunal in Nairobi seeking to suspend the MINUSMA Administration’s decision to reassign him from Bamako to Menaka.<sup>2</sup>
3. The application for the suspension of action was served on the Respondent on 23 May 2022, who filed his reply on 24 May 2022.

## **Considerations**

4. Under art. 2.2 of the Dispute Tribunal’s Statute, a preliminary condition for suspension of action is the existence of a reviewable administrative decision directly affecting staff member’s terms of appointment.
5. In the present case, the Respondent advises the Tribunal that MINUSMA has decided to suspend the contested decision pending management evaluation. The Respondent has further committed to notify the Applicant of this decision and to submit evidence to the Tribunal.
6. It follows, from the above, that the application for suspension of action pending management evaluation before this Tribunal has become moot.

## **ORDER**

7. The application is rejected as moot because the Applicant has been granted the relief he seeks before the Tribunal.

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<sup>1</sup> Application, section V, para. 1.

<sup>2</sup> Application, annex 2.

Case No.: UNDT/NBI/2022/044

Order No.: 061 (NBI/2022)

*(Signed)*

Judge Margaret Tibulya

Dated this 25<sup>th</sup> day of May 2022

Entered in the Register on this 25<sup>th</sup> day of May 2022

*(Signed)*

Eric Muli, Legal Officer, for

Abena Kwakye-Berko, Registrar, Nairobi