



**Before:** Judge Margaret Tibulya

**Registry:** Nairobi

**Registrar:** Abena Kwakye-Berko

ALSULTAN

v.

SECRETARY-GENERAL  
OF THE UNITED NATIONS

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**ORDER ON AN APPLICATION FOR  
SUSPENSION OF ACTION PENDING  
MANAGEMENT EVALUATION  
PURSUANT TO ART. 13 OF THE  
UNDT RULES OF PROCEDURE**

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**Counsel for the Applicant:**  
Julia Kyung Min Lee, OSLA

**Counsel for the Respondent:**  
Rebecca Aleem, UNDP

## **Introduction**

1. The Applicant filed an application on 23 August 2022 seeking to suspend, under articles 2.2 of the Dispute Tribunal's Statute and 13 of its Rules of Procedure, the decision not to renew his contract beyond close of business on 23 August 2022. The Applicant also sought an interim order, in accordance with the principles set out in *Villamorán*<sup>1</sup>. The Tribunal stayed implementation of the contested decision during the pendency of the SOA process..

2. The application was served on the Respondent the same day and he filed a reply on 24 August 2022.

3. The Tribunal has taken note of the Respondent's submission that he has suspended implementation of the contested decision and has extended the Applicant's fixed-term appointment pending the outcome of the management evaluation process.<sup>2</sup> Since the Respondent has suspended implementation of the contested decision and extended the Applicant's appointment pending the management evaluation process, the Tribunal finds that the matter is moot.

## **ORDER**

4. The application for suspension of action is dismissed.

*(Signed)*

Judge Margaret Tibulya

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

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<sup>1</sup> Order No. 171 (NY/2011); affirmed by 2011-UNAT-160.

<sup>2</sup> Reply and supporting annexes.

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

*(Signed)*

Abena Kwakye-Berko, Registrar, Nairobi