



**Before:** Judge Agnieszka Klonowiecka-Milart

**Registry:** Nairobi

**Registrar:** Abena Kwakye-Berko

KEBEDE

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:**  
Shubha Naik, OSLA

**Counsel for the Respondent:**  
Yun Hwa Ko, UNFPA

## **Introduction**

1. The Applicant is a Gender and Human Rights Program Specialist, working with the United Nations Population Fund (“UNFPA”), based in Addis Ababa, Ethiopia.<sup>1</sup> She serves on a fixed-term appointment.<sup>2</sup>

2. On 16 November 2022, she filed an application for suspension of action pending management evaluation before the United Nations Dispute Tribunal in Nairobi. She seeks suspension of the decision by UNFPA dated 29 September 2022 to not extend her flexible working arrangement away from her duty station beyond 30 November 2022.<sup>3</sup>

3. On 17 November 2022, the application was served on the Respondent, who filed his reply on 18 November 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 In the present case, the Respondent advises the Tribunal that the Administration has withdrawn the contested decision. The Respondent has further provided a copy of the email from the Director, Division for Human Resources, UNFPA, informing the Applicant that the contested decision is withdrawn.<sup>4</sup>

6. It follows, from the above, that the application for suspension of action pending management evaluation before this Tribunal has become moot.

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<sup>1</sup> Application, section I.

<sup>2</sup> *Ibid.*

<sup>3</sup> *Ibid.*, section V.

<sup>4</sup> Reply, annex 1.

**ORDER**

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

*(Signed)*

Judge Agnieszka Klonowiecka-Milart

Dated this 18<sup>th</sup> day of November 2022

Entered in the Register on this 18<sup>th</sup> day of November 2022

*(Signed)*

Abena Kwakye-Berko, Registrar, Nairobi