



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NBI/2023/012  
Order No.: 049 (NBI/2023)  
Date: 17 February 2023  
Original: English

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**Before:** Judge Rachel Sophie Sikwese

**Registry:** Nairobi

**Registrar:** Abena Kwakye-Berko

RODRIGUEZ SOTO

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:**  
Maureen Munyolo, AS/ALD/OHR, UN Secretariat

## **Introduction and procedural history**

1. On 13 February 2023, the Applicant, a P-3 Political Affairs Officer at the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic (“MINUSCA”) based in Berberati, Central African Republic, filed an application seeking to suspend the implementation of the decision not to extend his temporary appointment beyond 17 February 2023.

2. The application was served on the Respondent on 14 February 2023.

3. The Respondent filed a reply to the application on 15 February 2023. In the reply the Respondent argued that the application is moot and not receivable *ratione materiae* because MINUSCA has voluntarily suspended the implementation of the contested decision pending management evaluation.

4. On 4 February 2023, the Applicant received an email from MINUSCA Human Resources explaining the check-out process at the end of his temporary appointment with effect from 8 February 2023.<sup>1</sup>

5. On 13 February 2023, he requested management evaluation of the decision not to extend his appointment.<sup>2</sup>

6. On 15 February 2023, MINUSCA’s Chief, Human Resources Section, informed the Applicant that his temporary appointment would be extended for a further two months, effective 17 February 2023, pending management evaluation.<sup>3</sup>

## **Considerations**

7. In view of the Respondent’s submission and supporting documentation suspending the decision to terminate the Applicant’s temporary appointment pending management evaluation, the Tribunal concludes that there is no longer a matter to be

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<sup>1</sup> *Ibid.*, at section VII(6).

<sup>2</sup> *Ibid.*, at section VII(11) and annex 2.

<sup>3</sup> Reply, annex 1.

adjudicated upon within the suspension of action framework as the Applicant has received the relief sought.

**Order**

8. The application for suspension of action pending management evaluation has been rendered moot. It is rejected.

*(Signed)*

Judge Rachel Sophie Sikwese

Dated this 17<sup>th</sup> day of February 2023

Entered in the Register on this 17<sup>th</sup> day of February 2023

*(Signed)*

Abena Kwakye-Berko, Registrar, Nairobi