



**Before:** Judge Sean Wallace

**Registry:** Nairobi

**Registrar:** René M. Vargas M., Officer-in-Charge

SAID

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:**

Elizabeth Ann Interlandi, UNFPA

## **Introduction**

1. The Applicant serves as the Assistant Representative and Head of the Puntland Sub-Office with the United Nations Population Fund (“UNFPA”). She holds a fixed-term appointment (“FTA”) and is based in Garowe.

2. On 12 January 2024, the Applicant filed an application with the United Nations Dispute Tribunal sitting in Nairobi seeking to suspend the Respondent’s decision to not extend her appointment when it expires on 31 January 2024. It is the Applicant’s case that the impugned decision is tainted by extraneous factors and is retaliatory.

3. The Respondent filed his reply to the application on 17 January 2024.

## **Consideration**

4. In his reply, the Respondent argues that the application stands to be dismissed on ground that the Applicant has not met the conditions of the tripartite test of *prima facie* unlawfulness, urgency and irreparable harm.

5. Notwithstanding this position, the Respondent informed the Tribunal that he “intends not to separate the Applicant on 31 January 2023; but extend her FTA, as needed, while it reviews the matter in more detail and until it prepares a response to her request for management review”.

6. The Tribunal finds that the application before it has been rendered moot by the decision of UNFPA to extend the Applicant’s appointment as needed.

## **Conclusion**

7. In view of the foregoing, the Tribunal hereby:

- a. Dismisses the application as moot; and

Case No. UNDT/NBI/2024/002

Order No. 8 (NBI/2024)

b. Orders that the matter of *Said v Secretary-General of the United Nations*, registered under Case No. UNDT/NBI/2024/002 be struck off the Tribunal's docket.

*(Signed)*

Judge Sean Wallace

Dated this 22<sup>nd</sup> day of January 2024

Entered in the Register on this 22<sup>nd</sup> day of January 2024

*(Signed)*

René M. Vargas M., Officer-in-Charge, Nairobi