



Before: Judge Sean Wallace

Registry: Nairobi

Registrar: Wanda L. Carter

REVUELTO LANA O

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

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

Counsel for the Applicant:

Manuel Calzada, MC Legal LLC

Counsel for the Respondent:

Nicole Wynn, AS/ALD/OHR, UN Secretariat

Charlene Ndirangu, AS/ALD/OHR, UN Secretariat

Introduction

1. The Applicant is a staff member of the United Nations Assistance Mission for Iraq (“UNAMI”). On 2 December 2025, he filed an application requesting for suspension of action (“SOA”), pending management evaluation, of the decision to terminate his appointment effective 31 December 2025 (“the contested decision”).
2. The Respondent replied to the application on 4 December 2025.

Facts

3. On 31 May 2024, the Security Council adopted resolution 2732 (2024) to terminate UNAMI’s mandate, effective 31 December 2025, “after which UNAMI will cease all work and operations except with respect to any remaining liquidation of the Mission.”
4. By letter dated 22 September 2025, the UNAMI Special Representative of the Secretary-General notified the Applicant of the termination of his appointment as follows:

As you are aware, the Security Council, in its resolution 2732 (2024) of 31 May 2024 decided to terminate the mandate of the United Nations Assistance Mission for Iraq (UNAMI) on 31 December 2025 with the exception of any remaining liquidation of the Mission.

Pursuant to the above and upon conclusion of the comparative review conducted in accordance with the Organization’s policy on downsizing or restructuring resulting in termination of appointments (ST/AI/2023/1), I regret to inform you that you could not be retained in UNAMI and as a result, your **permanent appointment** will be terminated in accordance with Staff Regulation 9.3(a)(i) effective **31 December 2025**.

This letter constitutes an official notice of the termination of your appointment in line with Staff Regulation 9.3(c) and Staff Rule 9.7.

... By virtue of your placement in retention group 1, as per Section 5.10 of ST/AI/2023/1, you will be given priority consideration for positions at your P-5 level or one level below within your (sic) for applications submitted within three months of the date of this letter

as well as for any applications submitted before the date of this letter, provided that the deadline for the application has not expired by that date.

I encourage you to apply to suitable job openings or temporary job openings in Inspira if you wish to be considered for retention on suitable vacant positions outside UNAMI. (Original emphasis).

5. On 10 and 29 November 2025, the Applicant's Counsel wrote to senior officials in the Organization requesting for their "intervention and reassignment support." In these communications, Counsel stated, *inter alia*, that

On 23 September 2025, Mr. Revuelto received an official letter from the Department of Human Resources informing him—and all staff with permanent or continuous appointments in UNAMI—of the anticipated termination of appointment in connection with the mission's closure by 31 December 2025. In that letter, he was formally placed in Group 1.1, denoting absolute priority for reassignment within the Secretariat.

Despite this classification, no steps have been taken by DMSPC/HR to implement the Managed Reassignment Programme (MRP) under ST/AI/2023/1, nor has he received any individualized reassignment consultation. Instead, the burden has been placed entirely on him to self-identify posts. Since January 2025 he has applied to nearly 100 vacancies, including 25–30 after 23 September, without any HR-initiated matching or guidance. (Emphasis added).

6. On 1 December 2025, the Applicant requested management evaluation of the decision to terminate his permanent appointment and separation from the Organization.

Considerations

7. Under art. 2.2 of the Tribunal's Statute and art. 13.1 of the Rules of Procedure, the Tribunal may suspend the implementation of a contested administrative decision during the pendency of management evaluation where the decision appears *prima facie* to be unlawful, in case of particular urgency, and where its implementation would cause irreparable damage. These requirements are cumulative, and the Dispute Tribunal can suspend the implementation of the contested decision only if all three have been met.

8. In this application, the Applicant claims to have been notified of the contested decision on 21 November 2025. However, the case record and the Applicant's Counsel's concessions, as reflected in his communications to senior United Nations officials described above, show the contested decision was taken on 22 September 2025 and that the Applicant was made aware of it, at the latest, by 23 September 2025.

9. This application fails because the Applicant failed to request management evaluation within the 60-day deadline stipulated by staff rule 11.2(c) and art. 8.1(c) of the UNDT Statute. Staff rule 11.2(c) provides

A request for a management evaluation shall not be receivable by the Secretary-General unless it is sent within 60 calendar days from the date on which the staff member received written notification of the administrative decision to be contested. This deadline may be extended by the Secretary-General pending efforts for informal resolution conducted by the Office of the Ombudsman, under conditions specified by the Secretary-General.

10. In this case, taking 23 September 2025 as the date of notification of the contested decision, the Applicant was required to request management evaluation by 22 November 2025, but he only did so on 1 December 2025, nine days late.

11. It is settled law that the Tribunals have no jurisdiction to waive deadlines for requests for management evaluation and that failure to comply with the requirement to request a management evaluation, or with the relevant deadlines for a request renders the application not receivable. *Kamdem Souop* 2024-UNAT-1492, paras. 45–48, citing *Kouadio* 2015-UNAT-558, para. 17, and *Thomas* 2020-UNAT-991, para. 30.

12. In the context of an application for suspension of action pending management evaluation, the Appeals Tribunal has made clear that where “the Appellant exceeded the mandatory time limit for requesting management evaluation of the contested decision the application for suspension of action during the pendency of management evaluation [shall be] rightly declared irreceivable as time-barred.” *Tetova* 2012-UNAT-229, para. 18.

Conclusion

13. In view of the foregoing, this suspension of action application is rejected as not receivable.

(Signed)

Judge Sean Wallace

Dated this 8th day of December 2025

Entered in the Register on this 8th day of December 2025

(Signed)

Wanda L. Carter, Registrar, Nairobi