



**Before:** Duty Judge  
**Registry:** New York  
**Registrar:** Nerea Suero Fontecha

ROCKCLIFFE

v.

SECRETARY-GENERAL  
OF THE UNITED NATIONS

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**ORDER**

**ON MOTION TO ADDRESS  
RECEIVABILITY AS A  
PRELIMINARY MATTER**

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**Counsel for Applicant:**

George Irving

**Counsel for Respondent:**

Alan Gutman, ALD/OHR, UN Secretariat

## **Introduction**

1. On 20 November 2019, the Applicant filed an application to contest the cancellation of a vacancy announcement and abolishment of an available post to which she had applied, which she claims to be a violation of the Secretary-General's instruction to afford her priority consideration for suitable vacancies. On the same day, the application was transmitted to the Respondent and the Respondent's reply is due by 20 December 2019.

2. On 6 December 2019, the Respondent filed the motion to address receivability as a preliminary matter. In the motion, the Respondent argues that the contested decision is not a reviewable administrative decision as it is not a final administrative decision. He requests the Tribunal to determine receivability of the case as a preliminary matter and to suspend the deadline for the Respondent's reply pending such determination.

3. Having reviewed the case file on record, in light of the complexity of the case and in the interest of an efficient case management, the Tribunal denies the Respondent's motion and directs him to file the reply with submissions on receivability and merits within the prescribed deadline.

### **IT IS ORDERED THAT:**

4. The Respondent's motion is denied.

5. On or before **4:00 p.m. on Friday, 20 December 2019**, the Respondent shall file the reply.

*(Signed)*

Judge Joelle Adda (Duty Judge)

Dated this 6<sup>th</sup> day of December 2019