



Before: Judge Eleanor Donaldson-Honeywell

Registry: New York

Registrar: Nerea Suero Fontecha

ALQUZA

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

ORDER

ON CASE MANAGEMENT

Counsel for Applicant:
Aleksandra Jurkiewicz, OSLA

Counsel for Respondent:
Melissa Bullen, UN Women
Mylène Spence, UN Women

Introduction

1. On 23 May 2018, the Applicant, a former staff member with UN Women, filed an application to contest the Administration's "failure to make good faith efforts to place her outside of the normal selection process on the post of the Operations Manager", or, in the alternative, "the Administration's failure to make good faith efforts to find her a suitable alternative position in Jordan and place her outside of the normal selection process".

2. The Respondent filed his reply on 16 August 2018 stating that the application is not receivable and that, in any event, it is without merit.

3. This case, originally filed with the Nairobi Registry of the Dispute Tribunal, was transferred to the New York Registry on 16 November 2018 and assigned to Judge Alessandra Greceanu. Following the expiration of Judge Greceanu's term with the Dispute Tribunal, the case was assigned to the undersigned judge on 14 January 2020.

Consideration

4. In his reply, the Respondent argues that the Applicant's appointment expired rather than was terminated and therefore, Staff Rules 9.6(e) and (f) do not apply. Given that there was no termination, there was no obligation for the Administration to place the Applicant on a post outside of the regular selection process and the Administration made no decision in this regard. Therefore, the Respondent argues, there is no administrative decision to contest.

5. Having reviewed the Respondent's submissions on the issue of receivability, the Tribunal considers that it is necessary for the Applicant to respond and submit a final statement on the issue of receivability.

IT IS ORDERED THAT:

6. By **4:00 p.m. on Wednesday, 22 January 2020**, the Applicant shall file a final statement on the issue of receivability.

7. Thereafter the Tribunal will proceed to consider these matters as a preliminary issue, unless otherwise further directed.

(Signed)

Judge Eleanor Donaldson-Honeywell

Dated this 15th day of January 2020