



Before: Judge Joelle Adda
Registry: New York
Registrar: Nerea Suero Fontecha

JARA MATAMALA

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

ORDER

ON SUSPENSION OF ACTION

Counsel for Applicant:
Marcos Zunino, OSLA

Counsel for Respondent:
Nusrat Chagtai, AAS/ALD/OHR, UN Secretariat

Introduction

1. On 27 July 2020 at 6:19 p.m., the Applicant, a Security Officer at the G-3 level with the Economic Commission for Latin America and the Caribbean (“ECLAC”) filed an application under art. 2.2 of the Dispute Tribunal’s Statute and art. 13 of its Rules of Procedure seeking to suspend the decision, pending management evaluation, of the decision not to renew his fixed-term appointment beyond 31 July 2020.

2. On 28 July 2020, the Registry acknowledged receipt of the application for suspension of action and served it on the Respondent, directing him, upon the instructions of the undersigned Judge, to file a reply by 29 July 2020.

3. On 29 July 2020, the Respondent duly filed his reply in which he, *inter alia*, states that,

...

The Application is moot. ECLAC has suspended the implementation of the contested decision pending management evaluation, and the Applicant has been informed of the same. [...] Since the Applicant has been provided with the relief sought, the Application is rendered moot.

...

Consideration

4. In accordance with art. 2.2 of the Dispute Tribunal’s Statute, and as also reflected in art. 13 of its Rules of Procedure, the Dispute Tribunal,

... shall be competent to hear and pass judgement on an application filed by an individual requesting the Dispute Tribunal to suspend, during the pendency of the management evaluation, the implementation of a contested administrative decision that is the subject of an ongoing management evaluation ...

5. As the Respondent informs that the Administration has now decided to suspend the contested termination decision during the pendency of the management evaluation process, the purpose of the present application for suspension of action has been rendered moot. The application is therefore to be rejected.

IT IS ORDERED THAT:

6. The application is rejected.

(Signed)

Judge Joelle Adda

Dated this 30th day of July 2020