



Before: Judge Joelle Adda
Registry: New York
Registrar: Morten Michelsen, Officer-in-Charge

SIMILOWSKI

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**ORDER ON
SUSPENSION OF ACTION**

Counsel for Applicant:
Self-represented

Counsel for Respondent:
Jenny Kim, ALD/AS/OHR/UN Secretariat

Introduction

1. On 10 October 2022, the Applicant, a staff member with the United Nations Integrated Office in Haiti (“BINUH”), filed an application seeking suspension of the implementation of the decision not to renew her temporary appointment beyond its expiration on 15 October 2022 (“the contested decision”), pending management evaluation.

2. On 10 October 2022, 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 12 October 2022.

3. On 12 October 2022, the Respondent duly filed his reply in which he, *inter alia*, states that,

...

The Application is moot. BINUH has decided to suspend the implementation of the contested decision pending management evaluation. Accordingly, the Applicant’s appointment has been extended until 23 November 2022, and she 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 as moot.

(Signed)

Judge Joelle Adda

Dated this 13th day of October 2022