



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/GVA/2019/013

Order No.: 1/GVA/2019

Date: 21 August 2019

Original: English

Before: Judge Rosalind Delfino

Registry: Geneva

Registrar: Renato Va gas

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SECRETARY GENERAL  
OF THE UNITED NATIONS

ORDER ON AN APPLICATION FOR  
SUSPENSION OF ACTION PENDING  
MANAGEMENT EVALUATION

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Introduction

1.

F. The A55+ 'a' as a result of the 1E No/e : ;e 201" (a) (e (a) ;ee\* s(o 2+)s)e! fo (e 5os) o\* a+o\*g .) ( fo- o(e 'a\*!)!a!es a\*! (e .as )\*/e! fo a\* )\*/e /e . . O\* 1" No/e : ;e 201" (e A55+) 'a\* a\*! (e o(e 'a\*!)!a!es . e e as>e! %o 5 e5a e a ; )ef %e' (\*) 'a+ 5 ese\*a%)o\* fo (e )\*/e /e . )\*/e - of a . )\*/e\* assess : e\*%.

" . O\* 22 No/e : ;e 201" (e A55+) 'a\* !e+)/e e! (s %e' (\*) 'a+ 5 ese\*a%)o\* a\*! - \*!e . e\*% a 'o : 5e%e\*'92;ase! )\*/e /e . )\*/e a+o\*g .) ( ( ee o(e 'a\*!)!a!es. T(e )\*/e /e . 5a\*e+ 'o : 5)se! (e fo+o .) \*g : e : ;e s : & . 6+a-s Be'>8 Re5 ese\*a%)/e8 UN3PA P(+55)\*es Co-\*% 9 Off)'e8 &s. Ra\*!) : a ,a9as)\*g(e8 S% a!eg)' Co : : -\*)'a%)o\*s a\*! A!/o'a'9 A\*a+9s%8 UN3PA S ) La\*>a Co-\*% 9 Off)'e8 & . Ba>(%)o 6a!) o/8 De5-%9 Re5 ese\*a%)/e8 UN3PA Pa>)s)a\* Co-\*% 9 Off)'e8 &s. E+)Ha;e% (&+\*g . a8 4 - : a\* Reso- 'es Co\*s-+a\*% () e! ;9 UN3PA a\*! &s. NaH)s( 3a% ) : a S9e!8 4 - : a\* Reso- 'es Asso')a!e8 UN3PA Pa>)s)a\* Co-\*% 9 Off)'e8 )\*/e ex officio 'a5a')%9.

9. The 5a\*e+ f)\*a)se! )%s e5o % o\* 2F No/e : ;e 201" )\* . ( )' ( ) ! )! \*o% e'o : : e\*! (e A55+) 'a\*% ;ase! o\* )%s s'o e a% (e )\*/e /e . . T(e 5a\*e+ e'o : : e\*!e! % . o 'a\*!)!a!es )\*/e o !e of 5 efe e\*'e.

10. The Reg)o\*a+ Co : 5+)a\*'e Re/)e . Boa ! e\*!o se! (e se+e'%)o\* 5 o'ess o\* 1F De'e : ;e 201".

11. O\* 1" 3e; -a 9 2019 (e Re5 ese\*a%)/e8 Pa>)s)a\* Co-\*% 9 Off)'e \*o%)f)e! (e A55+) 'a\*% (a) (e (a) \*o% ;ee\* se+e'%)e! fo (e 5os) o\* a\*! 5 ese\*%e! ( ) : a +e%e %o (e sa : e effe' % !a!e! 1B 3e; -a 9 2019. A ' 'o ! ) \*g %o (e A55+) 'a\*% (e Re5 ese\*a%)/e %o+! ( ) : (a% \*o\*%e of (e 'a\*!)!a!es (a! ;ee\* se+e'%)e! fo (e 5os) o\* a\*! (a% )% . o-+! ;e e2a!/e %se!.

12. A ' 'o ! ) \*g %o (e Res5o\*!e\*%8 (e 'a\*!)!a!e e'o : : e\*!e! ;9 (e 5a\*e+ as (e 5 efe e! o\*e !e+)\*e! (e 5os) o\* . T(e se'o\*! 5 efe e! 'a\*!)!a!e . as offe e! (e 5os) o\* o\* 2E 3e; -a 9 2019 a\*! (e a' 'e5e!) % o\* 2F 3e; -a 9 2019.

13. The A55+) 'a\*% e?-es%e! : a\*age : e\*% e/a+-a%)o\* of (e !e's)o\* \*o% %o se+e' % ( ) : fo (e 5os) o\* o\* E &a ' ( 2019.



Implementation of the contested decision

1". As a 5 e+) :)\*a 9 : a%%e 8 %(e T); -\*a+ e 'a+s (a% a s-s5e\*s)o\* of a'%)o\* )s o\*+9 5oss);+e ega !)\*g !e')s)o\*s %(a% (a/e \*o% 9e% ;ee\* ) : 5+e : e\*%e! #see Abdalla O !e No. B #GVA/2010§§ Neault O !e No. E #GVA/2011\$ a\*! Quesada-Rafaraso O !e No. 20 #GVA/2013§§.

19. T(e Res5o\*!e\*% a g-es %(a% %(e !e')s)o\* (as a+ ea!9 ;ee\* ) : 5+e : e\*%e! s)\*'e %(e se+e'!e! 'a\*!)!a%e (as -\*'o\*!)%)o\*a++9 a' 'e5%e! %(e offe of a55o)\*% : e\*%. 4e 5 o!-'e! a +e%%e !a%e! 2E 3e; -a 9 2019 f o : %(e Re5 ese\*%a%)/e% UN3PA% %o %(e se+e'!e! 'a\*!)!a%e . (e e; 9 s(e s%a%e! %(a%)% . as UN3PAAs <)\*%e\*%)o\*=- %o offe (e a o\*e29ea f)De!2%e : a55o)\*% : e\*% %o %(e 5os%)o\*. T(e +e%%e f- %(e s%a%e! :

If 9o- a' 'e5% %(s offe 8 . e . )+ e?-es 9o- %o /s)% o\*e of %(e UN &e!)'a+ EDa : ))\*g P(9s)'a\* fo 9o- : e!)'a+ eDa : ))\*a%)o\* a\*! %(e : e!)'a+ e5o % . )+ ;e s- ; : )%%e! %o UN &e!)'a+ U\*)%)\* Ne . 1o > . 1o- off)'a+ a55o)\*% : e\*% . )+ o\*+9 ;e s- ;(e' % %o %(e e'e)5% of 9o- : e!)'a+ '+ea a\*'e 'e %f)'a%e f o : UN 4ea!?'-a %e s.

1o- a e a!/)se! \*o% %o 'o : : e\*'e . o > o se /)'es ;efo e %(e off)'a+ 'o\*% a'%)s s)g\*e! ;9 %(e UN3PA Re5 ese\*%a%)/e a\*! 9o- se+f. No%()\*g)\* o e+a%e! %o %(s +e%%e of)\*%e\*% s(a+ ;e 'o\*s% -e! o -\*!e s%oo! %o fo : a ;)\*%)\*g +ega+ 'o\*% a'%. Ra%(e 8 %(s +e%%e e : a)\*s s- ;(e' % %o s- 'essf-+ fo : a%)o\* of a 'o\*% a' a\*!)s \*o% +ega++9 ;)\*%)\*g.

20. T(e T ); -\*a+ \*o%es %(a% %(s offe of a55o)\*% : e\*% : a9 5 o!-'e +ega+ effe' %s !es5)%e )%s s%a%e : e\*% %o %(e 'o\*% a 9% as a+ ea!9 (e+! ;9 %(e A55ea+s T ); -\*a+)\* Gabaldon 20112UNAT2111 #see a+so Sprauten 20112UNAT2111\$. 4o . e/e 8 )% )s '+ea f o : %(e C- )s5 -!e\*'e of %(e A55ea+s T ); -\*a+ %(a% fo a !e')s)o\* %o e' -)% a\* eD%e \*a+ 'a\*!)!a%e %o ;e ) : 5+e : e\*%e! 8 )% )s \*o% s-ff)'e\*% %(a% %(e O ga\*)Ha%)o\* : a>e a\* offe a\*! %(a% %(e se+e'!e! 'a\*!)!a%e -\*'o\*!)%)o\*a++9 a' 'e5% )% as asse %e! ;9 %(e Res5o\*!e\*% . I% )s a+so e?-) e! %(a% %(e se+e'!e! 'a\*!)!a%e : ee%(e 'o\*!)%)o\*s 'o\*%a)\*e! )\*(e offe 8 )f a\*9.

21. I\* %(s 'o\*\*e'%)o\*8 %(e A55ea+s T ); -\*a+ (as 'o\*s)s%e\*%+9 -+e! %(a%:

U\*'o\*!)%)o\*a+ a' 'e5%a\*'e ;9 a 'a\*!)!a%e of %(e 'o\*!)%)o\*s of a\*  
offe of e : 5+o9 : e\*% ;efo e %(e)ss-a\*'e of %(e +e%%e of a55o)\*% : e\*%  
'a\* fo : a /a+)! 'o\*% a'%% 5 o/)!e! %(e 'a\*!)!a%e (

2@.





o\* (e 5a % of (e fo : e Re5 ese\*%a%)/e8 Pa>)s%a\* Co- \*% 9 Off)'e8 UN3PA8 a e \*o%  
s-ff)'e\*% %o 'as% se )o-s a\*! easo\*a;+e !o-;%s a;o-% (e +a .f-+\*ess of (e