
UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NBI/2015/023

Order No.: 025 (NBI/2015)

Date: 21 January 2015

Original: English

Before: Judge Nkemdilim Izuako

Registry: Nairobi

Registrar: Abena Kwakye-Berko

AL-BUSTANJI

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**ORDER ON AN APPLICATION FOR
SUSPENSION OF ACTION**

Counsel for the Applicant:
represented

Counsel for the Respondent:
Ren Dietrich, ALS/OHRM
Peter Cumming, ALS/OHRM

Considerations

9. Applications for suspension of action are governed by arts. 2.2 and 10.2 of the Statute of the Dispute Tribunal and arts. 13 and 14 of the Tribunal's Rules of Procedure.

10. Article 2.2 governs applications for suspension of actions pending management evaluation whereas art. 10.2 governs, inter alia, suspensions of action at any time during the proceedings.

11. The three statutory prerequisites contained in the Statute for the grant of the interim relief of suspension of action, that is, *prima facie*

the limits and prohibitions established by the Statute since, otherwise, the legislative texts, spirit, and goals underlying them would be ignored or violated⁴.

16. In the present case, the Tribunal notes that the management evaluation was completed on 12 January 2015, thus rendering moot this Application for suspension of action.