



Case No.: UNDT/NY/2009/097

Judgment No.: UNDT/2009/002

Date: 16 July 2009

1. UPON considering the Applicant's Application dated 10 July 2009 and received on 13 July 2009, for a suspension of the implementation of the administrative decision of 28 May 2009 not to renew her fixed-term appointment,

criteria have to be satisfied for the Tribunal to make an order on an application for a suspension of a contested administrative decision that is the subject of an ongoing management evaluation:

- (1) that the decision appears prima facie to be unlawful,
- (2) in cases of particular urgency, and
- (3) where its implementation would cause irreparable damage,

6. AND UPON determining that the criteria required under Article 2.2 of the Statute of the United Nations Dispute Tribunal and Article 13 of the Rules of Procedure have not been met,

7. AND having further considered that under Staff Rule 109.7, applicable at the time of the execution of the Applicant's contract with the Respondent, fixed-terms appointments shall expire automatically and without prior notice on the expiration date specified in the letter of appointment,

8. AND having considered that the Applicant's letters of appointment, dated 20 May 2008 and 23 April 2009, stated that her appointment carried no expectancy of renewal

IT IS ORDERED THAT:

1. The Application to suspend the implementation of the contested administrative decision is rejected.

(S))

Judge Memooda Ebrahim-Carstens

Dated this 13th day of August 2009

Entered in the Register on this 13th day of August 2009

(S)

Hafida Lahiouel, Registrar, New York