	Case No.:	UNDT/GVA/2019/013
UNITED NATIONS DISPUTE TRIBUNAL	O !e No.:	1" #GVA/2019$
	Da‰e:	21 &a '(2019
	O)g)*a+:	E*g+)s(

Before: , - ! ge Ro . a* Do . *)*g

Registry: Ge*e/a

Registrar: Re*0 &. Va gas &.

A, & AL

/.

SECRETAR12GENERAL
O3 T4E UNITED NATIONS

ORDER ON AN APPLICATION FOR
SUSPENSION OF ACTION PENDING
MANAGEMENT EVALUATION

Cou se! for A''"'!i#a t:
Se+f2 e5 ese*‰e!

Cou se! for Res''o $e t:
6a‰)*a 7 a)‰e s∂ UN3PA
1 -* 4 . a 6o∂ UN3PA

I tro$u#tio

1.

F. T(e A55+)'a*% .as *o%)f)e! o* 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 . % 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'>% Re5 ese*%a%)/e% UN3PA P()+)55)*es Co-*% 9 Off)'e% &s. Ra*!) : a ,9as)*g(e% S% a%eg)' Co : : -*)'a%)o*s a*! A!/o'a'9 A*a+9s%% UN3PA S) La*>a Co-*% 9 Off)'e% & . Ba>(%)o 6a!) o/% De5-%9 Re5 ese*%a%)/e% UN3PA Pa>)s%a* Co-*% 9 Off)'e% &s. E+)Ha;e%(&+*g . a% 4 - : a* Reso- 'es Co*s-+%a*% () e! ;9 UN3PA% a*! &s. NaH)s(3a%) : a S9e!% 4 - : a* Reso- 'es Asso')a%e% UN3PA Pa>)s%a* Co-*% 9 Off)'e%)* ex officio 'a5a')%9.

9. T(e 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%)* o !e of 5 efe e*'e.

10. T(e 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%)/e% 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*%% %(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''e5%e!)% o* 2F 3e; -a 9 2019.

13. T(e 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 ⸏ ‰(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-Rafarasoa 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 UN3PAꞯs <)*‰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 ⸏ . 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 . 1 o >. 1 o- off)')a+ a55o)*‰ : e*‰ .)⁺ o*₊9 ;e s-;Ce'‰ ‰o ‰(e e'e)5‰ of 9o- : e!)'a+ '+ea a*'e 'e ‰)f)'a‰e f o : UN 4ea!?-a ‰e s.

> 1 o- 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*‰ -e! o -*!e s‰oo! ‰o fo : a ;)*!)*g ₊ega+ 'o*‰ a'‰. Ra‰(e ⸏ ‰()s ₊e‰‰e e : a)*s s-;Ce'‰ ‰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 2011⸏UNAT⸏111 #see a₊so Sprauten 2011⸏UNAT⸏111$. 4o . e/e ⸏)‰)s '₊ea f o : ‰(e Cꞯ)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!⸏)‰)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 ⸏ f a*9.

21.   I* ⸏()s 'o**e'⸏)o*⸏ ⸏(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'⸏85 o/)!e! ⸏(e 'a*!)!a⸏e (

2@.

o* ⸗(e 5a ⸗ of ⸗(e fo : e Re5 ese*⸗a⸗)/e⸗ Pa>)s⸗a* Co-*⸗ 9 Off)'e⸗ UN3PA⸗ 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