Case No. UNDT/GVA/2020/026

O !e No. "# \$GVA/2020%

1B. T,e Res90*!e*&Fs 9)6a (;o*&e*&)o*s 6a(7e s. 6 6a)<e! as fo++o@s:

Prima facie unlawfulness

a. T,e;o*lesle!!e;)s)o*)s *ol prima facie .*+a@f.+7e;a.se:).

Case No. UNDT/GVA/2020/026

O !e No. "#\$GVA/2020%

Urgency

7. T,e e?.) e6e*& of . ge*;()s *o& 6e& as)&)s se+f4; ea&e!. : 'O a;;e9&e! &,e D)s9.&e T)7.*a+Fs H.)s!);&)o* o* 2# -a*.a (2020 a*!8 s)*;e &,e*& : 'O s&aff ,a/e 7ee*)*fo 6e! a7o.&*e@ 9 o;esses a*! 9 o;e!. es &o;,a+e*ge a!6)*)s& a&)/e!e;)s)o*s. T,e A99+);a*& e;e)/e!*o&)f);a&)o* of &,e;o*&es&e!!e;)s)o* o* B 'a;, 2020 a*!a/)&.a+&o@*,a++ o*&,e)*&e*a+H.s&);e s(s&e6 &ooD 9+a;e o* 1# 'a;, 2020. Ne/e &,e+ess8)&@as o*+(o*CO A9)+ 2020&*a6e+("@o D)*g !a(s 7efo e &,e)69+e6e*&a&)o* of &,e;o*&es&e!!e;)s)o* &,a&&,e A99+);a*& f)+e!,)s a99+);a&)o* fo s.s9e*s)o* of a;&)o*%

Irreparable damage

;. T,e Res9o*!e*&!)! *o&a!! ess &,e)ss.e of) e9a a7+e !a6age)* ,)s e9+(.

Co si\$eratio

1".

1#. I* &,e ;ase a& ,a*!& &,e A99+);a*& a g.es &,a& &,e ;o*&es&e! !e;)s)o*)s
.*+a@f.+ o* &,e fo++o@)*q g o.*!s:

- a. La;D of ;o*s.+kak)o* @)&, skaff ;o*;e *)*g : 'O es& .;&.)*g 9 o;ess a*!)&s)69a;&G
- 7. La;D of a!/);e)* e+a ℓ)o* &o &,e a7o+)&)o* of &,e A99+);a*&Fs 9os&G
- ;. No*4;069+)a*;e@)&, : 'O 9 o;e!. a+ .+es fo &,e e;+ass)f);a&)o* of &,e A99+);a*&Fs 90s\@ a*!
- !. La;D of a* effo & f o 6 : 'O &o e&a)* &,e A99+);a*& aga)*s& a*(s.)&a7+e a/a)+a7+e 9os)&)o*.
- 1E. :)&, es9e; & &o &, e a++ege! +a; D of; o*s.+&a&)o*@)&, s&aff 6e67e sa7o. & &, e es&.; &.)*g 9 o; ess8 &, e T)7.*a+*o&es &, a& 9a ag a9, B.B6.10 of &, e a99+); a7+e +ega+ fa6e@o D8 *a6e+(: 'O S&a*!)*g I*s&.; &)o*s8 e; og*)<es as =,)g,+()69o &a*&> &o ,a/e =ea+(o9e*; o66.*); a&)o*>@)&, s&aff affe; &e! 7(a eo ga*)<a&)o*.
- 19. T,e e/)!e*;e o* f)+e !e6o*s& a&es &,a&: 'O!)!8)*!ee!8;o66.*);a&e o* se/e a+ o;;as)o*s)&s)*&e*&)o*s &o)69+e6e*& a es&.;&.)*g 9 o;ess)*)&s Se; e&a)a&8 @,);,)*;+.!e! &,e A99+);a*&Fs 9 o;. e6e*&!e9a &6e*&.
- 20. T,e Res9o*!e*& f)+e! !o; . 6e*&a (e/)!e*;e s,o@)*g &, a& &, e e @as a &o@*, a++ 6ee&)*g ,e+! 7(&, e Se; e&a (4Ge*e a+ of : 'O@)&, : 'O s&aff 6e67e s o* B O;&o7e 2019 !.)*g @,);, &, e es& .;&.)*g 9 o;ess @as a**o.*;e! a*! eA9+a)*e!. 5. &, e 6o e& : 'O se& .9 a !e!);a&e!;o*s.+&a&)o* fo . 6. A++ of &,)s)s s.99o &e! 7(a : 'O Se /);e No&e!a&e! 16 O;&o7e 2019& ea!)*g)*)&s e+e/a*&9a & as fo++o@s:

Case No. UNDT/GVA/2020/026

O !e No. "#\$GVA/2020%

Case No.

UNDT/GVA/2020/026

O !e No.

"# \$GVA/2020%

2E. T,e Res9o*!e*& a!/a*;es &,a&: 'O ,a! *o !.&(&o)66e!)a&e+(eass)g* &,e A99+);a*& &o &,e *e@ P4B 9os)&)o* a*!& 6o eo/e & &,a& eass)g*6e*& @as *o& a* o9&)o* fo : 'O. I* s.99o & of &,)s& &,e Res9o*!e*& a g.es &,a& 5 e*;, @as ;o*s)!e e! a* esse*&)a+ sD)++ fo &,e *e@ P4B 9os& a sD)++ &,a& &,e A99+);a*& a99ea s *o& &o 9ossess& a*! &,a& as a es.+&,e @as *o&;o*s)!e e! =)66e!)a&e+(s.)&a7+e> fo sa)! 9os)&)o* @,)+e a& &,e sa 6e &)6e 9o)*&)*g o.& &,a& ,e ;a*& *e/e &,e+ess& a99+(fo)&.

29. T,e T)7.*a+ &,e efo e f)*!s &,a& &,e A99+);a*&,as *o& 6e& &,e 7. !e* of 9 o/)*g &,a& &,e ;o*&es&e! !e;)s)o*)s prima facie .*+a@f.+. G)/e* &,e ;. 6.+a&)/e *a&. e of &,e +ega+ &es& e+a&e! &o &,e ;o*!)&)o*s &o s.s9e*! ;o*&es&e! !e;)s)o*s 9e*!)*g 6a*age6e*& e/a+.a&)o*&)&)s *o&*e;essa (fo &,e T)7.*a+&o eAa6)*e&,e e6a)*)*g e?.) e6e*&s of . ge*;(a*!) e9a a7+e!a6age.

Co #!usio

C0. I* /)e@ of &,e fo ego)*g8 &,e a99+);a&)o* fo s.s9e*s)o* of a;&)o* 9e*!)*g 6a*age 6e*&e/a+.a&)o*)s eHe;&e!.

 $\label{eq:continuous} $''$igned%$$ -. !ge Te esa B a/o $$ Da\&e! \&,)s $6^{\&}$. !a(of 'a(2020)) $$$

E*&e e!)* &, e Reg)s&e o* &,)s 6^{&,} !a(of 'a(2020 \$"igned%

Re*0 '. Va gas '. & Reg)s& a & Ge*e/a