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UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NY/2020/038

Order No.: 127 (NY/2020)

Date: 24 August 2020

Original: English

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**Before:** Duty Judge

**Registry:** New York

**Registrar:** Nerea Suero Fontecha

MUC

v.

SECRETARY-GENERAL  
OF THE UNITED NATIONS

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**ORDER**

**ON MOTION FOR INTERIM  
MEASURES**

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**Counsel for Applicant:**  
Self-represented

**Counsel for Respondent:**  
UNDP

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9. The decision to exclude an applicant from a recruitment process constitutes a final administrative decision with direct legal consequences on the applicant (*Hejamadi* UNDT /2020/068, paras. 18-20). The Applicant's exclusion from further participation in the selection process therefore constitutes a decision not to appoint or promote her for the position.

10. Moreover, the suspension of an ongoing recruitment process pending the completion of judicial proceedings has the same impact as the suspension of the implementation of a selection decision at the end of said selection process. In the Tribunal's opinion, this is the type of disruption of the Organization's operations that the Statute and the Rules of Procedure seek to avoid.

11. Therefore, the Tribunal finds that it does not have jurisdiction to order the suspension of an ongoing selection process under art. 10(2) of its statute and art. 14(1) of its Rules of Procedure. The present request for interim measures is therefore not receivable.

12. In light of the above,

