



**Before:** Judge Alexander W. Hunter, Jr.

**Registry:** Geneva

**Registrar:** René M. Vargas M.

NASTASE

v.

SECRETARY-GENERAL  
OF THE UNITED NATIONS

---

**ORDER  
ON CASE MANAGEMENT**

---

**Counsel for Applicant:**

Self-represented

**Counsel for Respondent:**

Kong Leong Toh, UNOPS

## **Introduction**

1. On 30 March 2021, the Applicant, a former staff member of the United Nations Office for Project Services (“UNOPS”), filed an application contesting the decision not to renew his contract beyond 30 November 2020.
2. On 30 April 2021, the Respondent filed his reply.
3. On 28 May 2021, the Applicant filed a motion seeking permission to file a rejoinder.
4. By Order No. 97 (GVA/2021) dated 1 June 2021, the Tribunal granted the Applicant’s motion.
5. On 11 June 2021, the Applicant filed a rejoinder.
6. On 2 July 2021, the Respondent filed a motion for leave to file additional evidence in response to the Applicant’s rejoinder.
7. On 29 July 2021, the Applicant requested an extension of time to respond to the Respondent’s motion.
8. By Order No. 132 (GVA/2021) dated 30 July 2021, the Tribunal granted the Applicant’s requested extension.
9. On 12 August 2021, the Applicant filed a response to the Respondent’s motion dated 2 July 2021.
10. On 10 January 2022, the present case was assigned to the undersigned Judge.
11. By Order No. 21 (GVA/2022) dated 16 February 2022, the Tribunal instructed the parties to submit whether an oral hearing is warranted in this case, identifying the material issues of fact that may require said hearing.

12. On 26 February 2022, the Applicant expressed the need for an oral hearing due to the Respondent's alleged disregard of facts and information provided by him. In addition, the Applicant made an *ex-parte* submission consisting of his communication with the UN Ethics Office in relation to his retaliation claims.

13. On 28 February 2022, the Respondent advised the Tribunal that he did not find that an oral hearing was necessary.

### **Consideration**

14. As explained in Order No. 21 (GVA/2022), and in compliance with art. 16.1 of the Tribunal's Rules of Procedure as well as in line with UNAT jurisprudence, the decision to hold an oral hearing vests in the Judge (see *He* 2016-UNAT-686 and *Nadeau* 2017-UNAT-733).

15. Having considered the parties' submissions to date and the evidence on record, the Tribunal finds that the matter can be determined on the papers without holding a hearing.

16. In addition, the Applicant's *ex-parte* submission dated 26 February 2022 does not have any confidential information requiring protection and, accordingly, shall be shared with the Respondent and admitted in the case record.

### **Conclusion**

17. In view of the foregoing:

- a. It is ordered that the Applicant's *ex-parte* submission dated 26 February 2022 is admitted in the case record; and
- b. The parties are hereby instructed that the Tribunal is ready to adjudicate and will be moving forward with the judgment based on the papers.

*(Signed)*

Judge Alexander W. Hunter, Jr.  
Dated this 8<sup>th</sup> day of March 2022

Case No. UNDT/GVA/2021/020

Order No. 34 (GVA/2022)

Entered in the Register on this 8<sup>th</sup> day of March 2022

*(Signed)*

René M. Vargas M., Registrar, Geneva