



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NBI/2018/025

Order No.: 048 (NBI/2020)

Date: 26 February 2020

Original: English

Before: Judge Rachel Sophie Sikwese

Registry: Nairobi

Registrar: Abena Kwakye-Berko

ARANGO

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**ORDER ON THE APPLICANT'S
REQUEST FOR ADDITIONAL
INFORMATION AND DISCLOSURE**

Counsel for the Applicant:
Evelyn Kamau, OSLA

Counsel for the Respondent:
Elizabeth Brown, UNHCR
Francisco Navarro, UNHCR

Background

1. On 26 February 2020, the Applicant filed a Motion pursuant to art. 19 of the UNDT Rules of Procedure on case management, requesting the Tribunal to direct the Respondent to provide further information and disclosure of documents in this case, particularized as follows:

a. For the P-3 Temporary Appointment (TA) that was cancelled on 5 September 2017: (i) whether another P-3 Resettlement Officer position was subsequently created and another candidate hired, either on a TA or fixed-term appointment (FTA), with the scope of work envisioned in the P-3 TA that the Applicant was initially selected for and, if so, the type of appointment, when and for what duration; and (ii) whether the position is still occupied or for how long was it occupied giving specific dates.

b. For the P-4 TA that Ms. Alfaro was selected for: (i) what the current status is of that P-4 TA; (ii) whether it was occupied after Ms. Alfaro left or whether a P-4 FTA position was created; and (iii) whether someone else occupied the position after Ms. Alfaro, and if so, for how long, on what dates and whether it was a TA or FTA.

Deliberation

2. The Tribunal, in accordance with arts. 19 and 18.2 and 18.3 of its Rules of Procedure, considers that disclosure of the above-stated information and documents appears to be necessary for a fair and expeditious disposal of the proceedings.

IT IS ACCORDINGLY ORDERED

3. The Respondent shall file a response, including supporting documentation where applicable, to the issues raised by the Applicant at paragraphs 1(a) and (b) above by or before 5.00 p.m. on Wednesday, 11 March 2020.

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(Signed)

Judge Rachel Sophie Sikwese

Dated this 26th day February 2020

Entered in the Register on this 26th day February 2020

(Signed)

Eric Muli, Legal Officer, for

Abena Kwakye-Berko, Registrar, Nairobi