



UNITED NATIONS DISPUTE TRIBUNAL

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Case No.: UNDT/NBI/2018/034  
Order No.: 063 (NBI/2020)  
Date: 25 March 2020  
Original: English

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**Before:** Judge Margaret Tibulya

**Registry:** Nairobi

**Registrar:** Abena Kwakye-Berko

COMPAORE

v.

SECRETARY-GENERAL  
OF THE UNITED NATIONS

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**ORDER**

**ON CASE MANAGEMENT**

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**Counsel for the Applicant:**  
Self-represented

**Counsel for the Respondent:**  
Elizabeth Gall, AAS/ALD/OHR

## **Background**

1. The Applicant filed an application on 27 February 2018 contesting the decision not to include him in the roster of qualified candidates for future job openings for the position of Chief of Unit, Air Operations, at the P-4 level.

2. On 18 December 2019, the Tribunal issued Order No. 221 (NBI/2019) requiring further submissions from the parties to decide on how to fairly and expeditiously dispose of this matter.

3. The parties filed a joint response to Order No. 221 (NBI/2019) on 23 March 2020 including the following motions:

a. The Applicant seeks leave to introduce the following documents into evidence: (1) Audio record of interview; (2) Applicant's transcript of the interview; (3) the MEU final report; (4) Competency-Based Interview Training Manual; and (5) UN Core Values & Core Competencies Indicators.

b. The Respondent seeks leave to introduce additional documents into evidence under art. 18.1 of the UNDT Rules of Procedure. The documents include: (1) List of interview questions asked by the assessment panel; (2) Document entitled Interview Worksheet completed by Mr. Marcelo Quellet; (3) Interview Worksheet completed by Mr. Juan Fajardo; and (4) email correspondence from Ms. Christina Human attaching Interview Worksheet.

c. The Respondent opposes the admissibility of annex 6 to the application, the Applicant's summary of a secret audio recording of the interview. If the Tribunal admits the audio recording into evidence, the Respondent submits that only a transcript of the whole interview, rather than a summary, should be admitted.

4. The parties agree that an oral hearing is necessary in this case. The Applicant shall give evidence at the oral hearing and the Respondent proposes to call one

witness, Mr. Marcelo Quellet, Air Operations Officer, P-4, Office of Supply Chain Management, Department of Operations.

## **ORDERS**

5. The Applicant's request for leave to introduce the documents at paragraph 3(a) above into evidence is granted.

6. The Respondent's request for leave to introduce the documents at paragraph 3(b) above into evidence is granted.

7. The parties shall consult amongst themselves and file with the Registry a transcript of the whole interview by 1 April 2020. The Applicant's summary of the audio recording shall also remain as part of the record of the case.

8. The Tribunal intends to hold the hearing in this case via a video conference, the details of which will be communicated to the parties in due course. The parties shall inform the Tribunal, by 1 April 2020, whether they and the proposed witness are available for the said hearing on 21 April 2020.

*(Signed)*

Judge Margaret Tibulya

Dated this 25<sup>th</sup> day of March 2020

Entered in the Register on this 25<sup>th</sup> day of March 2020

*(Signed)*

Abena Kwakye-Berko, Registrar, Nairobi