



UNITED NATIONS DISPUTE TRIBUNAL

Case Nos.: UNDT/NBI/2019/008
UNDT/NBI/2019/051
UNDT/NBI/2019/163
Order No.: 085 (NBI/2020)
Date: 5 May 2020
Original: English

Before: Judge Margaret Tibulya

Registry: Nairobi

Registrar: Abena Kwakye-Berko

TOSON

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

ORDER ON CASE MANAGEMENT

Counsel for the Applicant:
Self-represented

Counsel for the Respondent:
Katrina Waiters, UNFPA

Background

1. The Applicant is a staff member of the United Nations Population Fund (“UNFPA”) serving as Representative at the UNFPA Oman Country Office (“CO Oman”) within the Arab States Regional Office (“ASRO”) at the P-5 level.
2. The Applicant has three similar applications pending before the United Nations Dispute Tribunal:
 - a. Case No. UNDT/NBI/2019/008, challenging the Respondent’s decision to renew his fixed term appointment (“FTA”) by three months instead of two years, that is, from 19 March to 19 June 2019;
 - b. Case No. UNDT/NBI/2019/051, challenging the Respondent’s decision to renew his FTA by nine months instead of two years, that is, from 20 June 2019 to 19 March 2020; and
 - c. Case No. UNDT/NBI/2019/163, challenging the Respondent’s decision to renew his FTA by twelve months instead of two years, that is, from 20 March 2020 to 31 March 2021.

ORDERS

3. The Tribunal shall hold a case management discussion (“CMD”) commencing at 1500 hours on 14 May 2020 via video conferencing, details of which will be transmitted to the parties by the Registry. At the CMD, the parties should be fully prepared to discuss the following:
 - a. The possibility of consolidating the three applications in the interest of judicial efficiency and economy;
 - b. The essence of the claims and the core issues requiring factual determination by the Tribunal;

- c. Relevant jurisprudence and administrative issuances the Tribunal should take into consideration;
 - d. Any motions that require immediate judicial intervention; and
 - e. Whether the cases may be decided on the documents or whether an oral hearing is necessary.
4. Should the parties deem a hearing to be necessary, they should be able to:
- a. Identify the witnesses to be called and provide a synopsis of their anticipated evidence;
 - b. Agree on a date to file a paginated, agreed bundle of documents that will be referred to by the witnesses during the hearing; and
 - c. Agree on dates for a hearing.

(Signed)

Judge Margaret Tibulya

Dated this 5th day of May 2020

Entered in the Register on this 5th day of May 2020

(Signed)

Abena Kwakye-Berko, Registrar, Nairobi