



Before: Judge Eleanor Donaldson-Honeywell

Registry: Geneva

Registrar: Abena Kwakye-Berko

KHAN

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

ORDER ON CASE MANAGEMENT

Counsel for Applicant:

Self-represented

Counsel for Respondent:

Elizabeth Brown, UNHCR

Jan Schrankel, UNHCR

Introduction

1. The Applicant is a staff member of the United Nations High Commissioner for Refugees (“UNHCR”).
2. He filed an application on 7 September 2020 to contest the following decisions: (i) non-authorization of his medical evacuation when he was acutely ill; (ii) non-authorization for an escort to accompany him during his medical travel; (iii) denial of security evacuation allowance for his family; and (iv) failure to convert his administrative status to security evacuation following his medical travel.
3. The Respondent filed his reply to the application on 12 October 2020, together with a motion to exceed the page limit, which was granted. The Respondent moves the Tribunal to dismiss the application in its entirety, makes the jurisdictional arguments that this application was filed out of time and is partly moot. On the merits the Respondent submits that the impugned decision was lawful and taken in accordance with the relevant rules and procedures.
4. The Applicant filed a motion seeking leave to submit comments in response to the Respondent’s reply. The comments are included in the said motion filed on 18 October 2020.

Considerations and Order

5. The Tribunal has reviewed the parties’ submissions in this matter and considers that a case management discussion (“CMD”) would facilitate fair, efficient and expeditious management and disposal of this case.
6. A CMD will take place on **Tuesday, 21 September 2021 at 1430hrs (Nairobi time)** using Microsoft Teams. At the CMD, the Tribunal and the parties will:
 - a. Ascertain whether the parties are amenable to this matter being resolved *inter partes*;
 - b. Identify the factual and legal issues to be determined;

Case No. UNDT/NBI/2020/73

Order No. 184 (NBI/2021)

c. Ascertain pending motions and disclosure issues that need to be resolved;

d. Discuss any other matter relevant to these proceedings.

7. The Parties **are encouraged to confer prior to the CMD** so that there is clarity on their respective positions with regards to resolution of this dispute without recourse to further litigation. For that purpose, the Tribunal strongly recommends that the Applicant **seek representation by counsel**.

8. As the CMD is being held virtually with all parties appearing from their respective locations, the parties are requested to confirm to the Nairobi Registry their contact details by **Friday, 17 September 2021**.



Judge Eleanor Donaldson-Honeywell

Dated this 14th day of September 2021

Entered in the Register on this 14th day of September 2021



Abena Kwakye-Berko, Registrar, Nairobi