



Before: Judge Margaret Tibulya.

Registry: Nairobi

Registrar: Abena Kwakye-Berko

RAJA

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

ORDER ON CASE MANAGEMENT

Counsel for the Applicant:
Brandon Gardner, OSLA

Counsel for the Respondent:
Nicole Wynn, AAS/ALD/OHR, UN Secretariat
Maureen Munyolo, AAS/ALD/OHR, UN Secretariat

Introduction

1. On 15 July 2021, the Applicant, a Supply Assistant, at FS-4 level, working with the United Nations-African Union Hybrid Operation in Darfur (“UNAMID”) filed an application contesting UNAMID’s decision to not make good faith efforts to absorb him to a new post after the abolition of his existing post.¹

2. On 16 August 2021, the Respondent filed a reply where it was argued that the contested decision is lawful, and that the Applicant’s continuing appointment was terminated following the Security Council’s decision to terminate UNAMID’s mandate on 31 December 2020. The Respondent further argued that the Organization fulfilled its obligation under staff rule 9.6(e) to make reasonable and good faith efforts to assist the Applicant to find an alternative position by identifying vacant positions in which he should have expressed interest if he wished to remain employed. The Applicant was considered for the positions in which he expressed interest but he was not suitable for them. He had no right to be given priority consideration for positions whose job requirements he did not meet.

3. In view of the submissions by the parties, the Tribunal has decided to hold a case management discussion (“CMD”). The purpose of the CMD is to:

- a. discuss and identify the claims and issues in the case;
- b. discuss any possibility for an amicable resolution of the case;
- c. order, as appropriate, the arrangements for a hearing on the merits of the case, including the identification of relevant witnesses; and
- d. generally deal with any other matter relating to the consideration and determination of this application.

¹ Application, section III, para. 1.

ORDERS

4. A CMD in this case will take place on **12 April 2022 at 10 a.m.** (Nairobi Time, UTC +3) via Microsoft Teams.
5. The parties or their duly designated representatives must attend the CMD. The Registry will provide a link to access the meeting.

(Signed)

Judge Margaret Tibulya

Dated this 7th day of April 2022

Entered in the Register on this 7th day of April 2022

(Signed)

Eric Muli, Legal Officer, for
Abena Kwakye-Berko, Registrar, Nairobi