



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NBI/2021/063

Order No.: 105 (NBI/2022)

Date: 3 August 2022

Original: English

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**Before:** Francesco Buffa

**Registry:** Nairobi

**Registrar:** Abena Kwakye-Berko

SHUMBA

v.

SECRETARY-GENERAL  
OF THE UNITED NATIONS

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**ORDER ON CASE MANAGEMENT**

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**Counsel for the Applicant:**

Oscar Asima Taulo

**Counsel for the Respondent:**

Wambui Mwangi, UNFPA

## **Introduction**

1. At the time of the application, the Applicant was as a Programme Specialist with the HIV Prevention portfolio, and the focal point on HIV Prevention programmes for the United Nations Population Fund (“UNFPA”) Malawi Country Office (“CO”).
2. On 26 July 2021, he filed an application with the United Nations Dispute Tribunal sitting in Nairobi to impugn the Respondent’s decision to summarily dismiss him from the Organization for serious misconduct pursuant to staff rule 10.2(a)(ix).
3. The Respondent filed his reply on 10 September 2021. The Respondent takes the position that the impugned decision is lawful.

## **Order**

4. The Tribunal has reviewed the parties’ submissions and, having in mind articles 16. 1 and 2 of the Rules of Procedure of the UNDT, takes the view that the relevant facts in the present case are clear and there is no need to conduct a hearing on the merits as the matter can be determined on the basis of the documents on record.
5. To this end, the parties are **DIRECTED** to file by **16 August 2022** their closing submissions, which can have the maximum length of 10 pages, using Times New Roman, font size 12, line spacing 1.5.

*(Signed)*

Judge Francesco Buffa

Dated this 3<sup>rd</sup> day of August 2022

Entered in the Register on this 3<sup>rd</sup> day of August 2022

*(Signed)*

Abena Kwakye-Berko, Registrar, Nairobi