



Before: Judge Francis Belle
Registry: Nairobi
Registrar: Abena Kwakye-Berko

PASI

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

ORDER ON CASE MANAGEMENT

Counsel for the Applicant:
Marine Veissiere

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

Introduction

1. By application dated 22 December 2022, the Applicant, a G-4 level Field Language Assistant with the United Nations Mission in South Sudan (“UNMISS”), contests the decision of the Advisory Board on Compensation Claims (“ABCC”) to deny his claim for compensation under Appendix D to the Staff Rules (Appendix D) for an illness alleged to have been incurred during the performance of official duties on behalf of UNMISS in April 2016.

2. On 13 January 2023, the Respondent filed a motion for summary judgment. In said motion, the Respondent submitted that the application was not receivable as a matter of law and should be summarily dismissed pursuant to art. 9 of the Dispute Tribunal’s Rules of Procedure. The Respondent further submitted that the Applicant had not identified any matter within the statutory jurisdiction of the Dispute Tribunal, and, in the interest of judicial economy, the Respondent sought a suspension of the 27 January 2023 deadline for the filing of the reply pending the Dispute Tribunal’s determination of the motion.

3. On 24 January 2023, the Duty Judge issued Order No. 019 (NBI/2023) in which the Judge determined that this was not an appropriate case for summary judgment and the Respondent’s motion to suspend the deadline for the reply pending a ruling on the motion for summary judgment was refused.

4. The Respondent filed a reply on 27 January 2023 in which it is argued that the application is not receivable.

5. The Tribunal held case management discussions on 26 and 29 May 2023.

ORDERS

6. The Administration shall file with the Registry the communication that shows the completion of the review of the Applicant’s medical treatment by 30 May 2023.

7. The Applicant shall file a rejoinder to the Respondent's receivability motion by or before 30 June 2023. Thereafter, the Tribunal will deliberate on the parties' submissions and decide on the receivability of the application.

(Signed)

Judge Francis Belle

Dated this 30th day of May 2023

Entered in the Register on this 30th day of May 2023

(Signed)

Abena Kwakye-Berko, Registrar, Nairobi