



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NBI/2022/047
Order No.: 102 (NBI/2023)
Date: 9 June 2023
Original: English

Before: Judge Francesco Buffa
Registry: Nairobi
Registrar: Abena Kwakye-Berko

LE BAILLY DE LA FALAISE

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

ORDER ON CASE MANAGEMENT

Counsel for the Applicant:
Self-represented

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

Introduction

1. The Applicant is a Senior Programme Management Officer at the P-5 level with the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (“MONUSCO”).

2. On 28 July 2022, he filed an application contesting decisions which he describes as follows:

I am filing the following complaint to the UNDT in reference to the undue delay and therefore absence of my e-Pas cycles 2020-2021, violation of rules and regulations outlined in ST/AI/2010/5 by my supervisor, Mr. David Mclachlan-Karr. In addition, I also contest the negative comments made in my 2020-2021 Epas when it was finalized in March 2022, as they contradict the overall satisfactory rate.

3. On 29 August 2022, the Respondent filed his reply contesting the receivability of the application.

Case management

4. The parties have submitted clear and concise submissions. After reviewing the case file, the Tribunal is of the view that this matter could be decided on the basis of the case records filed. Therefore, the parties will be directed to file their final submissions, addressing the facts raised in each other’s filings.

5. Pursuant to art. 19 of the Tribunal’s Rules of Procedure, and in the interests of a fair and expeditious disposal of the case,

IT IS ORDERED THAT:

6. By 2:00 p.m., (Nairobi time) on Friday, 30 June 2023, the parties shall file their final submissions.

7. The final submissions shall not exceed five pages in font Times New Roman, font size 12, line spacing of 1.5 lines.

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(Signed)

Judge Francesco Buffa

Dated this 9th day of June 2023

Entered in the Register on this 9th day of June 2023

(Signed)

Abena Kwakye-Berko, Registrar, Nairobi