



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NBI/2023/047

Order No.: 160 (NBI/2023)

Date: 16 October 2023

Original: English

a

Before: Judge Solomon Areda Waktolla

Registry: Nairobi

Registrar: René M. Vargas M., Officer-in-Charge

KINGII

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**CASE MANAGEMENT ORDER AND
NOTICE OF HEARING**

Counsel for the Applicant:

Ron Mponda

Counsel for the Respondent:

Charlotte Servant-L'Heureux, UNHCR

Rebecca Britnell, UNHCR

Background

1. The Applicant used to serve as a G-6 Programme Associate with the Office of the United Nations High Commissioner for Refugees (“UNHCR”). She was based in Yumbe, Uganda.
2. On 30 May 2023, the Applicant filed an application with the United Nations Dispute Tribunal sitting in Nairobi to challenge the Respondent’s decision to separate her from service of the Organization in accordance with staff rule 10.2(a)(ix). This disciplinary measure was imposed on her following a finding of misconduct. It is the Applicant’s case that the facts on which the sanction is based have not been established to the required standard and that the evidence was both weak and improperly evaluated.
3. On 30 June 2023, the Respondent replied to the application. The Respondent contends that: the facts are established to the required standard of proof and constitute misconduct; that the disciplinary measure is proportionate to the gravity of the Applicant’s misconduct; and the Applicant’s due process rights were respected.
4. Following assignment of this matter to the undersigned Judge, and a case management discussion with the parties, the presiding Judge decided that there should be an oral hearing in this matter.

Order

5. **NOTICE** is hereby issued that the matter of *Kingii v Secretary-General of the United Nations* (Case No. UNDT/NBI/2023/047) is set down for hearing at **10 a.m. (Nairobi time) on 24, 25 and 26 October 2023 at the UNDT Nairobi Courtroom.**
6. For the purposes of fair and expeditious management of this case, the Tribunal makes the following **ORDERS:**

- a. The parties will provide the Registry with their respective list of witnesses and a synopsis of their anticipated evidence by **Friday, 20 October 2023**;
- b. The parties will file a paginated, agreed bundle of documents that will be referred to by Counsel and/or the witnesses during the hearing by **Friday, 20 October 2023**; and
- c. Counsel for both parties should also provide the Registry with contact details for those appearing in these proceedings remotely by **Friday, 20 October 2023**.

(Signed)

Judge Solomon Areda Waktolla

Dated this 16th day of October 2023

Entered in the Register on this 16th day of October 2023

(Signed)

René M. Vargas M., Officer-in-Charge, Nairobi