



Before: Judge Sean Wallace
Registry: Nairobi
Registrar: René M. Vargas M., Officer-in-Charge

ASLAM

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

ORDER ON CASE MANAGEMENT

Counsel for the Applicant:

Manuel Calzada

Counsel for the Respondent:

Nicole Wynn, ALD/OHR, UN Secretariat

Fatuma Mninde-Silungwe, ALD/OHR, UN Secretariat

Introduction

1. The Applicant is a former Chief Procurement Officer at the P-5 level with the African Union/United Nations Hybrid Operation in Darfur (“UNAMID”). He contests the decision to deny his claim for Appendix D benefits.

2. In view of the submissions by the parties, the Tribunal held a case management discussion (“CMD”) on 20 December 2023. The purpose of the CMD was to discuss the issues and further evidence to be presented.

Case management

3. Pursuant to art. 19 of its Rules of Procedure, the Tribunal may at any time issue an order or give any direction which appears to be appropriate for the fair and expeditious disposal of a case and to do justice to the parties.

4. Consequently, the Tribunal issues the following orders.

Filing of additional documents

5. On or before 1 March 2024, the Applicant shall provide all medical documents in his custody, care, or control that relate to treatments undertaken and/or his physical condition from 1996 to present.

6. On or before 1 March 2024, the Respondent shall provide all medical documents in his custody, care, or control, including those of any former United Nations missions, program or agency that relate to treatments and/or physical condition of the Applicant from 1996 to present.

7. If either party is unable to provide any of the medical records, they shall provide documentation explaining why those medical records are not available (for example, records were destroyed in a fire in the hospital).

Amicable settlement

8. Recalling that the General Assembly has consistently encouraged alternative dispute resolution, the Tribunal finds it also appropriate to encourage the parties to explore the possibility of having the dispute between them resolved without recourse to further litigation. The Tribunal directs the Respondent to reply to the Applicant's pending settlement offer and exhorts the parties to engage in a good faith settlement discussion.

Signed

Judge Sean Wallace

Dated this 21st day of December 2023

Entered in the Register on this 21st day of December 2023

Signed

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