



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

DALAL

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**ORDER
ON CASE MANAGEMENT**

Counsel for Applicant:

Self-represented

Counsel for Respondent:

Mariette Hristovski, UNHCR
Jan Schrankel, UNHCR

Introduction

1. By an application filed on 1 August 2023, the Applicant, a former staff member of the Office of the United Nations High Commissions for Refugees (“UNHCR”) in Israel, contests the decision to not select him for the position of Protection Associate/Head of Legal Unit at the UNHCR operation in Tel Aviv, Israel.
2. On 1 October 2023, the Respondent filed his reply with two annexes filed on an *ex parte* basis.
 - a. Annex R-1, namely a confidential Recommendation for Appointment to Position No. 10014653.
 - b. Annex R-4, the recommended candidate’s application form.

Consideration

3. To determine whether the Applicant’s due process rights are safeguarded in this case, the Tribunal reviewed Annexes R-1 and R-4 and notes that the Applicant has already been granted access to a redacted version of Annex R-1 filed on 25 September 2023 as Annex 01 to the application.
4. The Tribunal finds that parts of Annexes R-1 and R-4 may be relevant for the proper adjudication of the case. To the extent that the relevant parts of these documents were not previously fully disclosed to the Applicant, the Tribunal finds it appropriate to order their disclosure on the grounds of fairness and transparency pursuant to art. 19 of its Rules of Procedure.
5. The Applicant is entitled to more information regarding Annex R-1, specifically to a copy of the document which shows the candidates’ scores while redacting their names.
6. Considering that Annex R-4 contains confidential personal information of an individual not involved in this litigation, the Tribunal allows the Respondent to

redact the document before its disclosure to the Applicant to preserve such information. Specifically, the Respondent shall disclose page 3 of 13.

IT IS ORDERED THAT:

7. By Thursday, 30 May 2024, the Respondent shall:
 - a. File into the case file a redacted version of Annex R-1 indicating the candidates' scores while redacting their names; and
 - b. File into the case file page 3 of 13 from Annex R/4, redacting the candidate's name and all identifying information except languages, sex/gender and primary nationality information.
8. The Tribunal considers it appropriate to hold a case management discussion in relation to the present case.
9. The parties shall confirm to the Registry their availability for a case management discussion to be scheduled between 10 -14 June 2024.

(Signed)

Judge Sean Wallace

Dated this 22nd day of May 2024

Entered in the Register on this 22nd day of May 2024

(Signed)

Eric Muli, Legal Officer for René M. Vargas M., Officer-in-Charge, Nairobi