



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

MARGIEH

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**ORDER
ON CASE MANAGEMENT**

Counsel for Applicant:

Hilda Ojiambo, OSLA

Counsel for Respondent:

Michel Boulianne, UN Women
Michael Ryneveld, UN Women

Introduction

1. The Applicant is a Programme Coordinator at the UN Women Palestine Country Office at the NOC/10 level. On 29 April 2024, she filed an application contesting what she describes as a decision to:

reassign her to a lesser post following internationalization of her post by creation of a new post of Deputy Special Representative, which takes away her main functions and duties as well as her leadership role in the organization as a member of the country office management team.

2. In his reply, the Respondent requests the Tribunal to dismiss the application in its entirety. He contends that, on the one hand, the application is not receivable *ratione materiae* as there was no decision in this matter meeting the definition of an administrative decision and, on the other hand, that the Administration acted lawfully.

Consideration

Filing of a rejoinder

3. Pursuant to art. 19 of the Rules of Procedure of the Dispute Tribunal, 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. Having taken into consideration the pleadings of the parties, the Tribunal has concluded that the Applicant should be given an opportunity to comment on the Respondent's reply. The Applicant needs to file a rejoinder, especially addressing the Respondent's arguments regarding the receivability of the application and the merits of the case.

Amicable settlement

5. 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.

6. In view of the foregoing, it is ORDERED THAT:

a. By **Tuesday, 25 June 2024**, the Applicant shall file a rejoinder. The rejoinder shall not exceed five pages.

b. The parties shall explore resolving the dispute amicably and revert to the Tribunal in this respect by **Tuesday, 2 July 2024**.

(Signed)

Judge Sean Wallace

Dated this 10th day of June 2024

Entered in the Register on this 10th day of June 2024

(Signed)

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