



**Before:** Judge Sean Wallace

**Registry:** Nairobi

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

KISUMIRO

v.

SECRETARY-GENERAL  
OF THE UNITED NATIONS

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**ORDER  
ON CASE MANAGEMENT**

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**Counsel for Applicant:**

Sètondji Roland Adjovi, *Études Vihodé*  
Antony K. Wilson, *Études Vihodé*

**Counsel for Respondent:**

Jacob van de Velden, DAS/ALD/OHR, UN Secretariat  
Maria Romanova, DAS/ALD/OHR, UN Secretariat

## **Introduction**

1. On 10 July 2023, the Applicant, a former Construction and Maintenance Worker at the United Nations Stabilization Mission in the Democratic Republic of the Congo (“MONUSCO”), filed an application contesting the decision of 1 May 2023 to separate him from service with compensation *in lieu* of notice and without termination indemnity.
2. The Respondent filed a reply on 10 August 2023 requesting the Tribunal to reject the application. He contends that there is clear and convincing evidence in support of the sanction imposed on the Applicant.
3. The Tribunal held a third case management discussion (“CMD”) on 25 June 2024.

## **Consideration**

4. At the CMD, the following matters were discussed:
  - a. Change of the case file name from “Roger” to the Applicant’s last name: Kisumiro;
  - b. Hearing dates. The parties agreed to have the hearing on 22-23 August 2024, subject to availability of the interpreters; and
  - c. Discovery of documents including:
    - i. Copy of the email dated 6 April 2018, purportedly from the Applicant’s email address to Cigna;
    - ii. Copy of the investigation dossier in the closed case against the Applicant, in Case No. 0955/18.

## **Conclusion**

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

- a. The Tribunal's Nairobi Registry will take action to change the case file name from "Roger" to "Kisumiro".
- b. A hearing on the merits in this case will take place on **22-23 August 2024**, subject to availability of interpreters. The hearing will commence each day at **10 a.m.** (Nairobi time).
- c. On or before **Monday, 15 July 2024**, the Respondent will file:
  - i. Digital copies of the emails dated 6 April 2018 purportedly exchanged between Cigna and the Applicant's email address (kisumiro@un.org), including the metadata for those emails; and
  - ii. By way of an *ex parte* filing, a copy of the investigation dossier in the closed case against the Applicant, in the Office of Internal Oversight Services ("OIOS") Case No. 0955/18, regardless of whether the file is currently held by OIOS, the United Nations Office for Project Services, MONUSCO, or any other United Nations-affiliated entity or program. Upon receiving the file, the Tribunal will examine it to determine its relevance for the Applicant's case, whether the totality or parts of the report are to be shared with the Applicant and, if so, on what basis the documentary disclosure will be done.

(Signed)

Judge Sean Wallace

Dated this 27<sup>th</sup> day of June 2024

Entered in the Register on this 27<sup>th</sup> day of June 2024

(Signed)

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