



Before: Judge Sean Wallace

Registry: Nairobi

Registrar: Wanda Carter

AO

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

ORDER ON CASE MANAGEMENT

Counsel for Applicant:

George G. Irving

Counsel for Respondent:

Nicole Wynn, AS/ALD/OHR, UN Secretariat

Victoria Mujunga, AS/ALD/OHR, UN Secretariat

Introduction

1. On 6 September 2023, the Applicant, a Close Protection Officer at the United Nations Support Office in Somalia, filed an application before the Dispute Tribunal contesting the 31 January 2023 decision of Senior Security Management Officials to temporarily withdraw his service weapon pending the “assessment by the Chief Medical Officer and any subsequent assessors”.

Consideration

2. The parties engaged in efforts at resolving this dispute informally but have been unsuccessful thus far.

3. On 14 August 2024, the Tribunal issued Order No. 105 (NBI/2024) in which it denied the parties’ joint motion for further suspension of proceedings pending informal settlement and directed the Applicant to file a rejoinder by 19 August 2024 which he did.

4. The parties attended a Case Management Discussion (“CMD”) on 27 August 2024.

Conclusion

5. As discussed at the CMD, it is ORDERED THAT:

a. The Respondent shall produce the Headquarters’ Security Report dated 19 June 2023 and the Rebuttal Report regarding the Applicant’s most recent performance appraisal by 13 September 2024;

b. The parties waive any right to a hearing at which to present testimony; and

c. Closing submissions on the record as it exists now (plus the two reports to be produced by 13 September), are to be filed by 10 October 2024.

Case No. UNDT/NBI/2023/067

Order No. 119 (NBI/2024)

d. Of course, the parties are encouraged to continue their settlement discussions. If they reach an agreement they shall inform the Tribunal promptly.

(Signed)

Judge Sean Wallace

Dated this 3rd day of September 2024

Entered in the Register on this 3rd day of September 2024

(Signed)

Wanda Carter, Registrar, Nairobi