



**Before:** Judge Sean Wallace

**Registry:** Nairobi

**Registrar:** Wanda L. Carter

WAMARA TIBENDERANA

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  
Anthony Kreil WILSON

**Counsel for Respondent:**

Jacob B. van de Velden, DAS/ALD/OHR, UN Secretariat  
Seungyoun Seo, DAS/ALD/OHR, UN Secretariat

### **Introduction**

1. On 10 March 2024, the Applicant, a former staff member of the United Nations Organization Stabilization Mission in the Democratic Republic of Congo (“MONUSCO”) filed an application challenging his separation from service for sexually harassing two women who were members of the Canadian military supporting MONUSCO’s activities.
2. An oral hearing was held between 11-14 November 2024. 9 witnesses testified over the four hearing days.

### **Consideration**

3. At the end of the hearing, counsel for the Applicant made an oral motion for the case to be dismissed on the basis of the contradictions brought out in the witnesses’ oral testimony.
4. The Tribunal refused the motion and stated that the testimony that has been heard will be weighed along with the rest of the evidentiary record.
5. The parties also requested to file written closing submissions and agreed on a deadline and page limitation.

### **Conclusion**

6. The following ORDERS are issued:
  - a. The evidence is now declared closed;
  - b. The Applicant’s oral motion for the case to be dismissed is REFUSED;
  - c. The parties will file their closing submissions, referring only to the evidence on file, at no more than 10 pages each, by **Friday, 6 December 2024**.

*(Signed)*

Judge Sean Wallace

Dated this 15<sup>th</sup> day of November 2024

Entered in the Register on this 15<sup>th</sup> day of November 2024

*(Signed)*

Wanda L. Carter, Registrar, Nairobi