



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NBI/2024/065  
Order No.: 28 (NBI/2025)  
Date: 7 March 2025  
Original: English

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**Before:** Judge Sean Wallace

**Registry:** Nairobi

**Registrar:** Wanda L. Carter

THAPA

v.

SECRETARY-GENERAL  
OF THE UNITED NATIONS

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**ORDER  
ON CASE MANAGEMENT**

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**Counsel for Applicant:**

Self-represented

**Counsel for Respondent:**

Nicole Wynn, AS/ALD/OHR, UN Secretariat

Victoria Nakaddu Mujunga, AS/ALD/OHR, UN Secretariat

## Introduction

1. The Applicant was seconded to the United Nations Mission to Support the Hudaydah Agreement (UNMHA) in Yemen by the Government of Nepal to serve as the Chief of the Military Advisory Unit.
2. He was recruited to the position on a one-year fixed term appointment at the P5 level. He was not renewed at the end of his one-year tenure, and challenges that decision. He also challenges comments made in respect of his performance when he was appraised.
3. The Respondent replied to the application on 10 January 2025. The Respondent submits that there was no expectation of renewal; and that there is a policy in place limiting the tenure of UN Military Experts on Mission to one year unless exceptional circumstances required it. With respect to the Applicant's performance, the Respondent submits that that aspect of the application cannot be reviewed by the Tribunal because the comments at issue were removed from his performance appraisal, thus making the issue moot.

## Consideration

4. The Tribunal has considered the parties' submissions and deems it appropriate to give the Applicant the opportunity to respond to the Respondent's reply.

## Conclusion

5. The Applicant is directed to file his rejoinder by **28 March 2025**.

*(Signed)*

Judge Sean Wallace

Dated this 7<sup>th</sup> day of March 2025

Entered in the Register on this 7<sup>th</sup> day of March 2025

*(Signed)*

Wanda L. Carter, Registrar, Nairobi