



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NBI/2025/027
Order No.: 78 (NBI/2025)
Date: 10 June 2025
Original: English

Before: Judge Sean Wallace

Registry: Nairobi

Registrar: Wanda L. Carter

COMPAORE

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**ORDER
ON CASE MANAGEMENT**

Counsel for the Applicant:

Christian Gimenez Corte

Counsel for the Respondent:

Maria Romanova, DAS/ALD/OHR, UN Secretariat

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

Introduction

1. The Applicant served as a professional staff member on a fixed term appointment with the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO). He was based in Goma as an Air Operations Officer.

2. He was separated from service of the Organisation with compensation *in lieu* of notice and without termination indemnity on 12 December 2024, for sexual exploitation *per* sections 1 and 3.2(c) of ST/SGB/2003/13 (“Special measures for protection from sexual exploitation and sexual abuse”) which tantamount to serious misconduct in violation of staff regulations 1.2(a), 1.2(b), 1.2(f) and 1.2(q), and staff rule 1.2(e).

3. On 12 March 2025, the Applicant challenged the decision to separate him from service before the United Nations Dispute Tribunal sitting in Nairobi.

4. The Respondent filed his reply to the application on 16 April 2025.

5. On 27 May 2025, the Applicant moved for an oral hearing of this case. Included in his motion is a list of comprising the Applicant and 9 witnesses he would like to call.

6. The Respondent strenuously objects to the need for an oral hearing. He argues that the Applicant has not provided a basis for the listed witnesses to be called; that one of them were interviewed by OIOS, that others were not proffered by the Applicant during the disciplinary process so that he should now be estopped from calling them; that an oral hearing is not necessary in every disciplinary matter and should be at the discretion of the Tribunal; that the liquidity crisis currently facing the Organisation has its resources stretched as it is and the Tribunal should consider resource constraints as a factor when deciding if an oral hearing is necessary.

Consideration and Order

7. The Tribunal has reviewed the parties' submissions and takes the view that a case management discussion ("CMD") would facilitate fair, efficient and expeditious management and disposal of this case.

8. A CMD will take place on **19 June 2025 at 2:30pm (Nairobi Time, UTC +3)** using Microsoft Teams. At the CMD, the Tribunal and the parties will:

- a. Discuss the claims and issues in the case;
- b. Identify the factual and legal issues to be determined;
- c. Consider what further information, if any, is required;
- d. Identify any documents to be disclosed;
- e. Consider if the case may be decided on the basis of the documents, or whether a hearing should be held, and, if there is to be a hearing, to set the dates, identify the witnesses to be called and the documents to be presented; and
- f. Ascertain whether the parties are amenable to considering an alternative resolution to the dispute;
- g. Discuss any other matter relevant to these proceedings.

9. As this case management discussion is being held virtually with all parties appearing from their respective locations, counsel are requested to provide the Registry with the relevant contact details no later than **16 June 2025**.

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(Signed)

Judge Sean Wallace

Dated this 10th day of June 2025

Entered in the Register on this 10th day of June 2025

(Signed)

Wanda L. Carter, Registrar, Nairobi