



Before: Duty Judge
Registry: Nairobi
Registrar: Wanda L. Carter

TEMFACK

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

ORDER ON CASE MANAGEMENT

Counsel for Applicant:

Amstrong Muma Tatapong
Angeline Kouoh Tatapong Petsiapiang

Counsel for Respondent:

Alister Cumming and Rosangela Adamo, UNICEF

Introduction

1. The Applicant was the Chief Health and Nutrition in the United Nations Children's Fund (UNICEF) Comoros Country Office (CCO) based in Moroni, Comoros.

2. On 23 March 2025, he filed an application seeking rescission of a disciplinary sanction of dismissal imposed on him effective 26 December 2024, by the UNICEF Deputy Executive Director, Management following an investigation into allegations of sexual harassment and sexual exploitation and abuse.

3. On 24 April 2025, the Respondent filed its Reply requesting that the application be rejected.

4. In its Reply, the Respondent also included a motion requesting leave to exceed the page limits mandated in art. 19 of the UNDT Rules of Procedure and paragraph 6 of the Practice Direction No. 4, "Filing of Applications and Replies" and further requested that in light of the sensitive nature of the matter, that the Tribunal grant anonymity to "V01" and V02" (complainants in the underlying investigation) in the matter and all documents and references to them in the proceedings, and to "all other witnesses" with respect to any public judgment or order issued in the proceedings.

5. The Applicant did not file an additional submission.

6. By Order No. 98 dated 9 July 2025, the Tribunal granted the Respondent's motion to exceed the page limit. It further granted the Respondent's request for anonymity with respect to V01 and V02, but reserved judgment on the Respondent's request for anonymity for the other witnesses.

7. The Tribunal also determined that a case management discussion (CMD) was necessary to "facilitate fair, efficient and expeditious management and disposal of this case," and requested the parties to provide the Registry with their dates/time of availability for a CMD to be held on or before 11 August 2025.

8. Via email dated 9 July, Respondent counsel advised of its availability on 11 August.

9. Via email sent to the Respondent counsel on 11 July, the Applicant counsel gave notice of its availability for a CMD on 25 August 2025. The email was forwarded to the Registry by Respondent counsel.

Conclusion

10. In view of the foregoing, and in light of the 11 July email from Applicant counsel, it is hereby ORDERED that

- a. A case management discussion will be held in this matter on **Monday, 25 August 2025, at 2:30 pm** (Nairobi time) via Microsoft Teams.
- b. As noted in Order No. 98, the purpose of the CMD will be to:
 - i. discuss the claims and issues in the case;
 - ii. identify the factual and legal issues to be determined;
 - iii. consider what further information, if any, is required;
 - iv. identify any documents to be disclosed;
 - v. consider whether 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;
 - vi. discuss any other matter relevant to these proceedings.

(Signed)

Judge Sean Wallace (Duty Judge)

Dated this 15th day of July 2025

Entered in the Register on this 15th day of July 2025

(Signed)

Wanda L. Carter, Registrar, Nairobi