



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NBI/2025/018
Order No.: 135 (NBI/2025)
Date: 21 August 2025
Original: English

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

AEM

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

ORDER ON CASE MANAGEMENT

Counsel for the Applicant:

Ludovica Moro

Counsel for the Respondent:

Halil Göksan, AS/ALD/OHR/UN Secretariat
Tamal Mandal, AS/ALD/OHR/UN Secretariat

Introduction and background

1. The Applicant contests a 19 August 2024 decision communicated to her by the ECSWA Director of Administration to deny her request, made on medical grounds, for remote work (“contested decision”).
2. The Respondent filed a reply on 24 March 2025 arguing that the application is not receivable *ratione materiae*. On the merits, the Respondent submits that the contested decision was lawful, reasonable, procedurally fair and that the Executive Secretary ECSWA reasonably exercised her discretion under ST/SGB/2019/3 (Flexible working arrangements).
3. The Applicant filed a rejoinder on 29 April 2025 which, *inter alia*, addresses the receivability argument.

Considerations

4. The Tribunal has reviewed the evidence on record and finds that an oral hearing on the merits would not add further value in this respect. Consequently, the present case will be determined on the written pleadings without holding a hearing on the merits. However, the parties may file closing submissions if they so choose.

Conclusion

5. In view of the foregoing, it is ORDERED THAT:
 - a. The parties shall file any closing submissions by **5 p.m. (Nairobi time) Monday, 8 September 2025**.
 - b. The said submissions should not exceed five pages, in font Times New Roman, font size 12, line spacing of 1.5 lines.

Case No. UNDT/NBI/2025/018

Order No. 135 (NBI/2025)

(Signed)

Judge Sean Wallace

Dated this 21st day of August 2025

Entered in the Register on this 21st day of August 2025

(Signed)

Wanda L. Carter, Registrar, Nairobi