



UNITED NATIONS DISPUTE TRIBUNAL

Case No.:	UNDT/NBI/2025/056
Order No.:	138 (NBI/2025)
Date:	22 August 2025
Original:	English

Before: Judge Sean Wallace

Registry: Nairobi

Registrar: Wanda L. Carter

JANNAN

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**ORDER
ON THE APPLICANT'S MOTION FOR
INTERIM MEASURES AND CASE
MANAGEMENT**

Counsel for Applicant:

Mr. Amr Hegazy

Counsel for Respondent:

Albert Angeles, DAS/ALD/OHR, UN Secretariat
Sergei Gorbylev, DAS/ALD/OHR, UN Secretariat

Introduction

1. The Applicant previously served as a Programme Management Officer and Deputy Chief of Office at the United Nations Office for Disaster Risk Reduction (UNDDR) in Cairo. He held a fixed term appointment at the P4 level.

Procedural History and Submissions

2. On 21 February 2025, the Applicant was separated from service of the Organisation with compensation *in lieu* of notice, and without termination indemnity, for misconduct, pursuant to staff rule 10.2(a)(viii). He filed the instant case challenging that separation decision.

3. The Respondent filed his reply on 2 July 2025. He submits that the decision to terminate the Applicant was based on clear and convincing evidence; and that it was reasonable, fair, legally and procedurally correct.

Consideration

4. Among the remedies that the Applicant requests in his application is “to be reinstated on a temporary basis until a final judgment is issued.” The Tribunal notes that this request is essentially for an interim measure under art. 10.2 of the Dispute Tribunal Statute and art. 14 of the Rules of Procedure of the Dispute Tribunal.

5. Article 10.2 of the Statute, provides in relevant part (*emphasis in italics*):

At any time during the proceedings, the Dispute Tribunal may order an interim measure, which is without appeal, to provide temporary relief to either party, where the contested administrative decision appears *prima facie* to be unlawful, in cases of particular urgency, and where its implementation would cause irreparable damage. This temporary relief may include an order to suspend the implementation of the contested administrative decision, *except in cases of appointment, promotion or termination*.

6. On the facts before the Tribunal, this case clearly concerns a decision to *terminate* the Applicant’s appointment. The Tribunal has held in *Stockholder* Order No. 102 (NY/2024) and *Scepanovic* Order No 66 (NY/2024) that temporary relief cannot be granted in decisions concerning appointments, promotions or terminations.

7. The Tribunal is further guided by the Appeals Tribunal in *Guzman* 2014-UNAT-455:

29. We are thus satisfied that the decision, the subject matter of the application for interim relief before the Dispute Tribunal, was a termination decision.

30. Accordingly, the Dispute Tribunal was not competent to order the suspension of action and in doing so exceeded its competence.

8. Turning to the facts of the dispute itself, the Tribunal notes that the parties' version of events are at significant odds with each other. Therefore, it will be helpful to the Tribunal for the parties to jointly file a clear list of agreed and disputed facts.

Conclusion

9. The Tribunal makes the following ORDERS:

a. The Applicant's motion for interim measures, that is, temporary reinstatement to his post pending determination of the case, is DENIED.

b. The Applicant and Respondent are DIRECTED to *jointly* file a joint statement of agreed and disagreed facts. As to each disagreed fact, the statement should include each party's version of the fact and the source (document, witness statement, etc.) that supports their version.

c. The joint statement of facts shall be filed by **Friday, 12 September 2025**.

(Signed)

Judge Sean Wallace

Dated this 22nd day of August 2025

Entered in the Register on this 22nd day of August 2025

(Signed)

Wanda L. Carter, Registrar, Nairobi