



UNITED NATIONS DISPUTE TRIBUNAL

Case No.:	UNDT/NBI/2025/024
	UNDT/NBI/2025/070
Order No.:	213 (NBI/2025)
Date:	31 October 2025
Original:	English

Before: Duty Judge

Registry: Nairobi

Registrar: Wanda L. Carter

SNIDER

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

ORDER
ON APPLICANT'S SUBMISSION
FOLLOWING ABCC REVERSAL

Counsel for Applicant:

Robbie Leighton, OSLA

Counsel for Respondent:

Alister Cummings, UNICEF
Chinonyelum Esther Uwazie, UNICEF

Introduction and Procedural History

1. The Applicant is the wife of the Decedent, a Security Adviser for the United Nations Children's Fund (UNICEF) on secondment to Mogadishu, Somalia until his death on 16 September 2020.
2. On 10 February 2021, the Applicant filed a claim with the United Nations Advisory Board on Compensation Claims (ABCC) requesting that the Decedent's death be determined as service incurred, pursuant to Appendix D, Article 5.3.
3. On 19 October 2023, ABCC denied the claim, finding that the Decedent's death was not service incurred.
4. On 18 June 2024, the Applicant filed a request to reopen the claim to consider new evidence. On 26 December 2024, ABCC denied the request.
5. On 28 February 2025, the Applicant filed an application with the United Nations Dispute Tribunal contesting the 19 October 2023 ABCC determination, seeking rescission of the decision and a finding that the Decedent's death be recognized as service incurred. The application was registered as UNDT/NBI/2025/024 (hereinafter, "Case No. 024").
6. On 19 March 2025, the Respondent filed a "Motion to have receivability determined as a preliminary matter", averring that the application was not receivable *ratione temporis*. The Applicant contested the motion on 24 March 2025. On 26 March 2025, the Tribunal issued Order 038 (NBI/2025) issued 26 March 2025, denying, without prejudice, the Respondent's request to have receivability determined as a preliminary matter.
7. The Respondent filed its Reply on 2 April 2025, again asking that the application be rejected in its entirety as not receivable, and in the alternative, that the application be dismissed as without merit in that the 19 October 2023 ABCC decision was lawfully taken.

8. On 23 June 2025, the Tribunal issued Order # 091 directing the parties to file their closing submissions on or before 23 July 2025.
9. On 9 July 2025, the Applicant filed a new application with the Tribunal challenging ABCC's 26 December 2024 decision not to reopen her claim, cited at para. 4, *infra*. This case was registered by the Tribunal at UNDT/NBI/2025/070 (hereinafter, "Case No. 070).
10. The Respondent was served with Case No. 70 on 16 July, with instructions to file its Reply by 15 August 2025.
11. On 16 July, the Applicant filed a "Motion to Adduce New Evidence and Seek Suspension", seeking suspension of the proceedings in Case No. 024, based on information that on 17 April 2025, the *ex-officio* Medical Advisor to the ABCC had requested the ABCC Secretariat to reconsider the Applicant's Appendix D claim.
12. On 21 July, the parties filed a "Joint Motion Seeking Suspension of Proceedings" in Case No. 070, requesting a 90-day suspension.
13. On 21 July, the Tribunal issued Order 103, granting a suspension in both cases (No. 024 **and** No. 070) until 20 October 2025. The Tribunal also waived the Respondent's obligation to file its Reply in Case No. 70 pending the suspension.
14. On 20 October, the Applicant filed a "Submission Following ABCC Reversal" in which it informed that following a reconsideration, the ABCC had reversed its earlier decision and made a determination that the Decedent's death was service-incurred.
15. In her submission, the Applicant claims that the determination does not render the underlying cases moot, as viable issues exist with respect to the Decedent's treatment and the denial of the initial claim, and rejection of the request for reconsideration.

Consideration

Filing of a rejoinder

16. Pursuant to art. 19 of its Rules of Procedure, the Tribunal may at any time issue an order or give any direction appearing to be appropriate for the fair and expeditious disposal of a case and to do justice to the parties.

17. Having taken into consideration the nature of the Applicant's new submissions, the Tribunal considers it appropriate and in the interest of justice to direct the Respondent to comment on the submission by means of a rejoinder.

Conclusion

In view of the foregoing, it is ORDERED THAT:

18. By **Monday, 10 November 2025**, the Respondent shall file a rejoinder to the Applicant's latest submissions in this matter.

(Signed)
Judge Sean Wallace (Duty Judge)
Dated this 31st day of October 2025

Entered in the Register on this 31st day of October 2025

(Signed)
Wanda L. Carter, Registrar, Nairobi