



UNITED NATIONS DISPUTE TRIBUNAL

Case Nos.: UNDT/NY/2019/060  
UNDT/NY/2019/070  
Order No.: 153 (NY/2019)  
Date: 1 November 2019  
Original: English

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**Before:** Judge Francis Belle  
**Registry:** New York  
**Registrar:** Nerea Suero Fontecha

BELSITO

v.

SECRETARY-GENERAL  
OF THE UNITED NATIONS

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**ORDER**

**ON CASE MANAGEMENT**

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**Counsel for Applicant:**

Mr. George G. Irving

**Counsel for Respondent:**

Ms. Melissa Bullen, UN Women

Ms. Mylene Spence, UN Women

## **Introduction**

1. This order relates to two related applications filed by the Applicant, the former UN Women Country Representative in Albania. The applications relate to the selection process for the D-1 post of UN Women Regional Director for Europe and Central Asia. The two applications can be summarized as follows:

- a. On 17 August 2017, the Applicant filed an application contesting the decision by the Executive Director of UN Women to cancel the selection process for the D-1 post of UN Women Regional Director for Europe and Central Asia, which the Applicant had applied for, and re-advertise the position. This case is registered under Case No. UNDT/NY/2019/070;
- b. On 28 November 2018, the Applicant filed an application contesting the decision to not select him for the post of Regional Director for Europe and Central Asia at the D-1 level following completion of the second recruitment process. This case is registered under Case No. UNDT/NY/2019/060. The Applicant requested that this case be consolidated with the Applicant's first case as both cases concern the selection process for the same position.

2. On 18 September 2017, the Respondent filed a reply in Case No. UNDT/NY/2019/070, submitting that the application has no merit as the decision to cancel the selection process for the position was made on legitimate grounds, namely that there had been a breach of confidentiality in the selection process.

3. On 31 December 2018, the Respondent filed a reply in Case No. UNDT/NY/2019/060, submitting that the application has no merit as the record demonstrates that the decision not to select the Applicant was lawful as he was not the strongest candidate for the position. The Respondent further stated that the two

cases should not be consolidated, however the Respondent did not specify the reasons for the objection.

4. The Applicant's two cases were assigned to the undersigned Judge on 17 October 2019.

5. Pursuant to art. 19 of the Dispute Tribunal's Rules of Procedure and for a fair disposal of the case,

IT IS ORDERED THAT:

6. By **4:00 p.m., on Friday, 8 November 2019**, the Respondent shall file a submission responding under separate headings to each of the issues listed below:

- a. A reasoned response to the Applicant's motion for consolidation of the two related cases, specifying any prejudice that may be caused by hearing the cases together;
- b. Details of the Selection Panel's reservations on its recommendation of the Applicant for the post of Regional Director for Europe and Central Asia at the D-1 level to the Compliance Review Board, following competition of the second recruitment process; and
- c. A copy of the Administration's response to the Applicant's request for management evaluation of the non-selection decision dated 10 August 2018.

7. Thereafter, the Tribunal may give further directions regarding the conduct of this matter.

*(Signed)*

Judge Francis Belle

Dated this 1<sup>st</sup> day of November 2019