



**Before:** Judge Joelle Adda  
**Registry:** New York  
**Registrar:** Nerea Suero Fontecha

HASSAN

v.

SECRETARY-GENERAL  
OF THE UNITED NATIONS

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**ORDER**  
**ON CASE MANAGEMENT**

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**Counsel for Applicant:**  
Self-represented

**Counsel for Respondent:**  
Angela Arroyo, UNDP

Notice: The Applicant's name on this order has been corrected.

## **Introduction**

1. The Applicant, a former Programme Analyst as a National Officer at the B-Grade level with the United Nations Development Programme (“UNDP”) in the United Arab Emirates, contests the Administration’s decision not to renew his fixed-term appointment beyond 28 February 2018 due to budgetary limitations. The application was initially filed with the Nairobi Registry.

2. On 16 November 2018, the case was transferred to the New York Registry, and on 20 January 2020, it was assigned to the undersigned Judge.

## **Considerations**

3. The Tribunal notes that in the application, the Applicant contests the non-renewal decision on the grounds, *inter alia*, that while his fixed-term appointment was not extended beyond 28 February 2018, all other staff members were given a further four-month extension (until 30 June 2018) and some were given even further extensions. The Tribunal notes that the Applicant claims in his request for management evaluation that he was singled out for a discriminatory reason.

4. The Tribunal further notes that in the management evaluation decision dated 12 April 2018, the Administration stated that due to budgetary limitations, it had to cut costs and decided to abolish the Applicant’s post and not renew his appointment for the following reasons:

In order to cut costs, the [UNDP Resident Representative and the United Nations Resident Coordinator (“RR/RC”)] had to consider which position was most disposable. As mentioned, you were the second most junior staff member in the [country office], and of the four members of the programme staff, two staff members had significantly longer Fixed-Term Appointments. The most junior staff member was the G5. You were working on an *ad hoc* basis on Partnerships, a function that was not limited to your role, but which all programme staff performed. Most crucially perhaps, the abolition of your post would achieve significant cost savings needed to close the deficit. For these reasons, the RR/RC decided to not renew your contract beyond 28 February 2018.

5. While the Tribunal notes that the Administration submitted certain documentation regarding the country office's budgetary limitations, there is no contemporaneous documentation showing that the Applicant's post was selected for abolition for the reasons set forth in the management evaluation decision.

6. In light of the above,

IT IS ORDERED THAT:

7. By **4:00 p.m. on Thursday, 13 February 2020**, the Respondent shall submit the contemporaneous documentation supporting the reason(s) for the decision to abolish the Applicant's post and not renew his appointment as set forth in the management evaluation decision.

8. The Tribunal will thereafter consider the information provided and give further case management directions.

*(Signed)*

Judge Joelle Adda

Dated this 6<sup>th</sup> day of February 2020