



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NY/2019/078

Order No.: 137 (NY/2020)

Date: 14 September 2020

Original: English

Before: Judge Joelle Adda

Registry: New York

Registrar: Nerea Suero Fontecha

PEDREYRA

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

ORDER

ON CASE MANAGEMENT

Counsel for Applicant:

Dorota Banaszewska, OSLA

Counsel for Respondent:

Nusrat Chagtai, ALD/OHR, UN Secretariat

1. On 20 September 2019, the Applicant filed the application contesting the decision not to select him for a position of Senior Reviser/Project Manager in the Department of General Assembly and Conference Management (“DGACM”) (“the post”).
2. On 21 October 2019, the Respondent filed his reply.
3. On 10 August 2020, the Applicant sought disclosure of two additional sets of documents: (a) the complete evaluation of the Applicant’s technical assessment, including notes of the panel members and (b) the complete documentation regarding the decision of the Chiefs of the Translation Services and Director of Documentation Division on the methods of assessment of shortlisted candidates for the four Senior Adviser/Project Manager positions referenced in para. 13 of the reply.
4. In his reply, the Respondent avers that the decision not to select the Applicant for the post is lawful because the Applicant did not pass the technical assessment test that was graded by a panel.
5. The Respondent further argues that from 18 December 2018 to 31 January 2019, DGACM advertised Senior Reviser/Project manager positions in four of its translation services and that said job openings were agreed upon by the chiefs of the concerned services who decided on the methods of assessment of the shortlisted candidates.
6. The Tribunal finds that the documentation requested by the Applicant is relevant to the determination of the case given the Respondent’s arguments. It therefore grants the Applicant’s request for disclosure.

7. In light of the above and pursuant to art. 18.3 of the Tribunal's Rules of Procedure,

IT IS ORDERED THAT

8. The Applicant's motion for disclosure is granted.

9. By **12:00 p.m. on Monday 28 September 2020**, the Respondent shall submit the following documentation:

a. Any available documentation pertaining to the evaluation of the Applicant's technical assessment, including notes of the panel members and;

b. Any available documentation regarding the decision of the Chiefs of the Translation Services and Director of Documentation Division on the methods of assessment of shortlisted candidates for the four Senior Adviser/Project Manager positions referenced in para. 13 of the reply.

10. The Tribunal will thereafter issue any additional instructions.

(Signed)

Judge Joelle Adda

Dated this 14th day of September 2020