



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

RUBWINDI

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

ORDER

ON CASE MANAGEMENT

Counsel for Applicant:
Evelyn W. Kamau, OSLA

Counsel for Respondent:
Jonathan Croft, ALD/OHR, UN Secretariat
Lucienne Pierre, ALD/OHR, UN Secretariat

Introduction

1. On 5 October 2020, the Applicant, a former staff member of the Regional Service Centre in Entebbe (“RSCE”), appealed the decision to withdraw his after-service health insurance entitlements (“ASHI”).

2. By Order No. 218 (NBI/2020) dated 4 November 2020, the Tribunal rejected the Respondent’s 30 October 2020 motion for a preliminary determination of the receivability of the case and suspension of the deadline to file his reply.

3. The Respondent therefore filed his reply on 4 November 2020.

4. The case was originally filed in the Nairobi Registry and transferred to the New York Registry on 20 October 2021.

Consideration.

5. In Order No. 218, the Judge in Nairobi concluded that the Tribunal shall proceed on an assumption that the application is receivable and directed the Respondent to file a full reply within the statutory deadline.

6. The Tribunal understands that Order No. 218 is a procedural decision that provides a preliminary assessment of the receivability question without undertaking any binding findings on the facts or legal aspects in dispute.

7. Therefore, to ensure an efficient adjudication of the case, the Tribunal finds it necessary to first undertake a full review of the receivability challenge brought by the Respondent. To do so, the Tribunal will hear the Applicant’s views thereon.

8. In light thereof,

IT IS ORDERED THAT:

9. By **4:00 p.m. on Monday, 22 November 2021**, the Applicant may file a response to the Respondent's objections on receivability. The submission is to be five pages maximum, using Times New Roman, font 12 and 1.5 line spacing;

10. The Tribunal will thereafter issue any additional instructions on case management, as needed.

(Signed)

Judge Joelle Adda

Dated this 5th day of November 2021