



Before: Judge Alexander W. Hunter, Jr.

Registry: New York

Registrar: Isaac Endeley

RIZQY

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**ORDER
ON CASE MANAGEMENT**

Counsel for Applicant:

Self-represented

Counsel for Respondent:

Isavella Maria Vasilogeorgi, AAS/ALD/OHR, UN Secretariat

Miryoung An, AAS/ALD/OHR, UN Secretariat

Introduction

1. The Applicant, a former staff member of the United Nations Mission for the Referendum in Western Sahara (“MINURSO”), filed an application with the Tribunal contesting the decision to impose on her the disciplinary measure of separation from service with compensation in lieu of notice and with termination indemnity.
2. On 13 May 2022, the Respondent filed his reply challenging mainly the receivability of the application.
3. On 27 May 2022, the Applicant filed a motion addressing the Respondent’s arguments on receivability.
4. On 1 June 2022, the Respondent filed his reply to the Applicant’s motion.
5. On 15 March 2023, the present case was assigned to the undersigned Judge.

Consideration

6. Having considered the parties’ submissions to date and the evidence on record, the Tribunal considers it appropriate to deal with the receivability of the application in the final judgment.
7. In this respect, the Tribunal informs the parties that the documents that the Applicant submitted to the UNDT Registry in Nairobi by email on 2 March 2022, to which she refers in her 27 May 2022 motion, have been verified by the Tribunal. The Applicant attached six annexes to her 2 March 2022 email. The same documents were subsequently uploaded by the Applicant in the e-Filing portal on 16 April 2022. The 2 March 2022 email has been uploaded into the case record in the e-filing portal for their perusal.
8. Having said the above and noting that the reply is mainly focused on the receivability of the application, the Tribunal considers it appropriate to give the Respondent the possibility to further develop his position on the merits of the application.

9. To ensure due process, the Tribunal will also give the Applicant an opportunity to file a rejoinder to the Respondent's further submission on the merits.

10. After the filing of the above-mentioned submissions, if any, the Tribunal will be, in principle, sufficiently informed of the matter and will proceed to adjudicate the case on the papers before it.

Conclusion

11. In view of the foregoing, IT IS ORDERED THAT:

- a. The Respondent may file a submission developing further his position on the merits of the application by **Thursday, 11 May 2023**; and
- b. The Applicant may file a rejoinder to the Respondent's submission by **Monday, 22 May 2023**.

(Signed)

Judge Alexander W. Hunter, Jr.

Dated this 1st day of May 2023