



Before: Duty Judge
Registry: New York
Registrar: Isaac Endeley

O'MULLANE

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**ORDER
ON CASE MANAGEMENT**

Counsel for Applicant:
Cristian Gímenez Corte

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

Introduction

1. By application filed on 9 July 2023, the Applicant contests the 10 January 2023 decision by the Office of Internal Oversight Services (“OIOS”) to decline to open an investigation into the Applicant’s complaint of “possible harassment and abuse of power” against the United Nations Controller.

2. The Respondent filed a reply on 9 August 2023 challenging the receivability of the application on the basis that the contested decision is not reviewable. The Respondent also submits that even if the application were receivable, it should be rejected because it has no merit.

Considerations

3. Pursuant to art. 19 of the Rules of Procedure of the Dispute Tribunal, the Tribunal may at any time issue any order or give any direction which appears to be appropriate for the fair and expeditious disposal of a case and to do justice to the parties.

4. Having examined the parties’ submissions, the Tribunal considers that it is in the interests of justice to grant the Applicant the opportunity to file a rejoinder to the Respondent’s reply, specifically addressing the issue of receivability.

5. In light of the above,

IT IS ORDERED THAT:

6. By **4:00 p.m. on Thursday, 19 October 2023**, the Applicant is to file a rejoinder to the Respondent’s reply addressing the issue of receivability of the application. The rejoinder should be no longer than five pages, using font Times New Roman, font size 12 and 1.5 line spacing.

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7. Upon receipt of the above-referred submissions, the Tribunal will issue the relevant instructions for further case management.

(Signed)

Judge Joelle Adda

Dated this 5th day of October 2023

Entered in the Register on this 5th day of October 2023

(Signed)

Isaac Endeley, Registrar, New York