



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NY/2024/009

Order No.: 058 (NY/2024)

Date: 21 May 2024

Original: English

Before: Duty Judge

Registry: New York

Registrar: Isaac Endeley

EJIDIKE

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

ORDER

ON CASE MANAGEMENT

Counsel for Applicant:

Setondji Roland Adjovi
Anthony Kreil Wilson

Counsel for Respondent:

Kathleen Welshman, AS/ALD/OHR/UN Secretariat

Introduction

1. On 1 March 2024, the Applicant, a P-5 level Senior Political Affairs Officer at the Office of the Special Adviser on the Prevention of Genocide (“OSAPG”) in New York, filed an application contesting: i) the decision by the Under-Secretary-General and Special Adviser on the Prevention of Genocide to rate the Applicant’s performance for the 2022-23 performance cycle as “C – Partially meets expectations”; and ii) the decision by the rebuttal panel to maintain the Applicant’s Performance Rating as “C – Partially meets expectations” (“the contested decisions”).

2. The Respondent filed a reply on 3 April 2024 submitting that the application is not receivable, as the Applicant does not contest a reviewable administrative decision within the meaning of art. 2.1(a) of the Dispute Tribunal’s Statute. In the alternative, the Respondent states that the application has no merit as the Applicant’s evaluation for the 2022-2023 performance cycle complied with Administrative Instruction ST/AI/2021/4 (Performance Management and Development System).

Considerations

3. Pursuant to art. 19 of the Rules of Procedure of the Dispute Tribunal, the Tribunal may at any time issue an 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. In light of the above,

IT IS ORDERED THAT:

5. By **4:00 p.m. on Monday, 24 June 2024**, the Applicant is to file a rejoinder responding to the Respondent's reply, including evidence, if any, that demonstrates that the Applicant's evaluation for the 2022-23 performance cycle has affected the Applicant's conditions of service. The submission is to be five pages maximum, using font Times New Roman, font size 12 and 1.5 line spacing.

(Signed)

Judge Joelle Adda

Dated this 21st day of May 2024

Entered in the Register on this 21st day May 2024

(Signed)

Isaac Endeley, Registrar, New York