



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NY/2024/011
Order No.: 061 (NY/2024)
Date: 24 May 2024
Original: English

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

BEN MADI

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

ORDER
ON CASE MANAGEMENT

Counsel for Applicant:
Self-represented

Counsel for Respondent:
André Luiz Pereira de Oliveira, Legal Specialist, UNFPA
Elizabeth Ann Interlandi, Legal Specialist, UNFPA
Moritz Grothe, UNFPA.

Introduction

1. On 6 March 2024, the Applicant, a former Local Security Associate, with the United Nations Population Fund in Libya, filed the application in which he contests the decision not to renew his fixed-term appointment beyond 31 December 2023.

2. On 8 April 2024, the Respondent filed his reply, contending that the application is without merit.

Considerations

Interim measures

3. In the application, the Applicant requests the Dispute Tribunal, as interim measures, to (a) suspend the non-renewal decision during the pendency of the present case before it, and (b) reinstate him in his previous position until the conclusion of the proceedings.

4. The Tribunal notes that, under arts. 10.2 of its Statute and 14.1 of its Rules of Procedure, the Dispute Tribunal may not order any interim measure in cases of “appointment, promotion or termination”. As the present case specifically concerns the non-renewal of the Applicant’s fixed-term appointment, the Tribunal is therefore not competent not entertain the Applicant’s interim measure requests.

Further case management

5. 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.

6. Having examined the parties’ submissions, the Tribunal finds it necessary to provide the Applicant with the opportunity to respond to the Respondent’s reply.

7. In light of the above,

IT IS ORDERED THAT:

8. By **3:00 p.m. on Friday, 28 June 2024**, the Applicant is to file a rejoinder to the Respondent's reply. The rejoinder shall not be longer than five pages using font Times New Roman, font size 12, with 1.5 line spacing.

9. Upon receipt of the above-referred submission, the Judge to whom the case will be assigned will either issue further directives on case management, or proceed with rendering her or his final Judgment if she or he finds that the case is ready for adjudication.

(Signed)

Judge Joelle Adda

Dated this 24th day of May 2024

Entered in the Register on this 24th day of May 2024

(Signed)

Isaac Endeley, Registrar, New York