



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NBI/2021/081
Order No.: 068 (NBI/2022)
Date: 30 June 2022
Original: English

Before: Judge Margaret Tibulya.

Registry: Nairobi

Registrar: Abena Kwakye-Berko

SIVAN

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

ORDER ON CASE MANAGEMENT

Counsel for the Applicant:
Self-represented

Counsel for the Respondent:
Alan Gutman, AAS/ALD/OHR, UN Secretariat
Clémentiné Foizel, AAS/ALD/OHR, UN Secretariat

Introduction

1. The Applicant is a former Supply Assistant, at the United Nations Disengagement Observer Force (“UNDOF”), based in Camp Ziouani, Israel.¹ On 14 September 2021, he filed an application before the Dispute Tribunal contesting UNDOF’s decision to separate him from service for abandonment of post.²

2. On 28 September 2021, the Respondent filed a motion where it is argued that the application is not receivable *ratione materiae*. In the motion, the Respondent requested that the Tribunal determine the receivability of the application as a preliminary matter. The Respondent also sought suspension of the 21 October 2021 deadline for the filing of the reply pending the Tribunal’s determination of the motion.

3. By Order No. 214 (NBI/2021), issued on 8 October 2021, the Tribunal granted the Respondent’s motion. The Tribunal also directed the Applicant to file a response to the Respondent’s motion specifically on the issue of receivability as argued by the Respondent. On 1 November 2021, the Applicant complied and filed his submissions on the issue of receivability.

4. In view of the submissions by the parties, the Tribunal has decided to hold a case management discussion (“CMD”). The purpose of the CMD is to discuss and identify the claims and issues in the case and generally deal with any other matter relating to the consideration and determination of this application.

ORDERS

5. A CMD in this case will take place on **7 July 2022 at 2.30 p.m.** (Nairobi Time, UTC +3) via Microsoft Teams.

¹ Application, section II.

² *Ibid.*, section V.

6. The parties or their duly designated representatives must attend the CMD. The Registry will provide a link to access the meeting.

(Signed)

Judge Margaret Tibulya

Dated this 30th day of June 2022

Entered in the Register on this 30th day of June 2022

(Signed)

Eric Muli, Legal Officer, for
Abena Kwakye-Berko, Registrar, Nairobi