



UNITED NATIONS DISPUTE TRIBUNAL

Case No.:	UNDT/GVA/2024/039
Order No.:	117 (GVA/2025)
Date:	22 October 2025
Original:	English

Before: Judge Sun Xiangzhuang

Registry: Geneva

Registrar: Liliana López Bello

SAMANDAROV

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**ORDER
ON CASE MANAGEMENT**

Counsel for Applicant:

Self-represented

Counsel for Respondent:

Saidou N'Dow, United Nations Human Settlements Programme
Nana Elsler, United Nations Human Settlements Programme

Introduction

1. By Order No. 87 (GVA/2025) dated 16 July 2025, the Tribunal instructed, *inter alia*, the Respondent to file his comments, if any, to the Applicant's 14 January 2025 motions for (a) the Respondent to produce evidence of its submission "that the Hiring Manager evoked the desirable criteria of knowledge of the Japanese language", and (b) "to award costs against the Respondent" by 29 July 2025.
2. On 29 July 2025, the Respondent filed his submission as per Order No. 87 (GVA/2025).
3. On 31 July 2025, the Applicant filed additional motions to (a) reject the submissions from the Respondent dated 29 July 2025, and (b) award costs against the Respondent for a manifest abuse of the process.

Consideration

The Applicant's 31 July 2025 motions and closing statements

4. The Tribunal notes that in Order No. 87 (GVA/2025), it stated that subsequent to the filing of the Respondent's submissions on 29 July 2025 unless otherwise ordered, it would proceed with adjudicating the matters before it in the present case.
5. In the Applicant's subsequent 31 July 2025 motions, he, in essence, requests that (a) the Respondent's 29 July 2025 submission be rejected as, rather than responding to Order No. 87, he submitted a new reply to the application, and (b) costs should be awarded against the Respondent for this.
6. The Tribunal sees no reason to reject the Respondent's 29 July 2025 submission. Indeed, this submission raises the question concerning why the Applicant, as a matter of fact, was found not to meet the requirements for the temporary position as Human Settlements Officer at P-3 level, located in the United Nations Human Settlements Programme, UN-HABITAT, in the Regional Office for Asia and the Pacific in Kabul, Afghanistan ("the Post").

7. The Respondent submits that the “*knowledge of Japanese* was considered a “*desirable*” qualification and not a mandatory requirement for [the temporary job opening (“TJO”)] and that this “was not the reason [the Applicant’s] candidature was not given further consideration by the Hiring Manager as other candidates who did not meet this requirement made it to the long list. Instead, “the Applicant’s Application was clearly screen out by Inspira as he did not meet the requirements for the TJO without any manual intervention”.

8. Since the Administration is also responsible for the Inspira’s (the Organization’s online jobsite and application portal) rejection of the Applicant’s job application, the Tribunal will therefore instruct the Respondent to provide specific submissions and/or documentation for the Applicant’s alleged lack of eligibility and/or suitability for the Post.

9. Subsequently, the Tribunal will order the parties to file closing statements “for the fair and expeditious disposal of the case and to do justice to” them as per art 19.1 of its Rules of Procedure.

10. The purpose of these closing statements is for the parties to summarize *all* their substantive contentions in a structured manner within five pages using the font Times New Roman size 12, and 1.5 line spacing. This includes their submissions concerning (a) the Applicant’s eligibility and/or suitability for the Post, and (b) the Applicant’s 31 July 2025 motion on costs if the Applicant still finds this relevant in light of the present Order.

11. To focus the closing statements on the issues raised by the Applicant as the moving party, the Tribunal will instruct the parties to file the closing statements in a staggered and sequential manner by which (a) the Applicant will first present his contentions, (b) the Respondent will then respond thereto, and (c) the Applicant, as the moving party, will be allowed the final word in a short response. No new evidence or pleadings, aside from those concerning the Respondent’s additional submissions and/or documentation on the Applicant’s eligibility and/or suitability for the Post and, if relevant, the Applicant’s 31 July 2025 motion regarding costs, will therefore be allowed to be submitted with the closing statements. If advanced,

they will be struck from the record without the possibility of making further submissions.

12. In view of the foregoing, it is ORDERED THAT:

a. By **Wednesday, 29 October 2025**, the Respondent is to file a submission in which it is explained why the Applicant was not eligible and/or suitable for the Post and provide documentation, if any, for this.

b. By **Wednesday, 5 November 2025**, the Applicant is to file his closing statement, which is to be five pages maximum, using font Times New Roman, font size 12 and 1.5 line spacing. Aside from the Applicant's comments concerning the Respondent's additional submissions and/or documentation on the Applicant's eligibility and/or suitability for the Post and, if relevant, the Applicant's 31 July 2025 motion regarding costs, the closing statement is solely to be based on previously filed pleadings and evidence, and no new pleadings or evidence are allowed at this stage;

c. By **Wednesday, 12 November 2025**, the Respondent is to file his closing statement responding to the Applicant's closing statement at a maximum length of five pages, using font Times New Roman, font size 12 and 1.5 line spacing. Aside from observations on the Applicant's comments concerning the Respondent's additional submissions and/or documentation on the Applicant's eligibility and/or suitability for the Post and, if relevant, the Applicant's 31 July 2025 motion regarding costs, the closing statement is solely to be based on previously filed pleadings and evidence, and no new pleadings or evidence are allowed at this stage;

d. By **Monday, 17 November 2025**, the Applicant may file a statement of any final observations responding to the Respondent's closing statement. This statement of final observations by the Applicant must be a maximum of two pages, using font Times New Roman, font size 12 and 1.5 line spacing. It must be solely based on previously filed pleadings and evidence, and no new pleadings or evidence are allowed at this stage; and

e. Unless otherwise ordered, on receipt of the latest of the aforementioned statements or at the expiration of the provided time limits, the Tribunal will adjudicate on the matter and deliver Judgment based on the documentation on record as soon as possible.

(Signed)

Judge Sun Xiangzhuang

Dated this 22nd day of October 2025

Entered in the Register on this 22nd day of October 2025

(Signed)

Liliana López Bello, Registrar, Geneva