



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NBI/2025/007  
Order No.: 33 (NBI/2025)  
Date: 18 March 2025  
Original: English

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**Before:** Judge Francesco Buffa

**Registry:** Nairobi

**Registrar:** Wanda L. Carter

CASTELLI

v.

SECRETARY-GENERAL  
OF THE UNITED NATIONS

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**ORDER ON CASE MANAGEMENT**

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**Counsel for Applicant:**

Self-represented

**Counsel for Respondent:**

Nicole Wynn, AS/ALD/OHR, UN Secretariat

Victoria Mujunga, AS/ALD/OHR, UN Secretariat

## **Introduction**

1. By application filed on 27 January 2025, the Applicant, a former Policy and Best Practices Officer working with the United Nations Interim Force in Lebanon filed an application alleging that the Office of Internal Oversight Services and the Chief, Conduct and Discipline Office did not properly review his complaint against his First Reporting Officer. Specifically, he alleges that no reasons were given to him for the closure of his complaint without investigation.

2. By the same application, the Applicant also challenges the Management Advice and Evaluation Section's decision regarding his management evaluation request.

3. The Respondent submitted a reply on 28 February 2025 where it is argued that the contested decisions are not receivable and if found receivable, the application lacks merit. The Respondent maintains that:

a. The contested decision is not a reviewable administrative decision. It had no direct effect on the Applicant, had no external legal effect, and did not adversely affect the Applicant's contractual employment rights. It is not a reviewable administrative decision per articles 2(1)(a) and 8(1)(a) of the Dispute Tribunal Statute.

b. The application is also not receivable insofar as it contests the management evaluation outcome. The outcome of a management evaluation request is not an administrative decision under art. 2(1)(a) of the Dispute Tribunal Statute. Therefore, the Dispute Tribunal lacks jurisdiction to adjudicate that claim; and

c. Should the Tribunal consider the application receivable, it lacks merit.

## **Consideration**

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

5. Having taken into consideration the pleadings of the parties, the Tribunal considers it appropriate and in the interest of justice to give the Applicant an opportunity to comment on the Respondent's reply by means of a rejoinder.

**Conclusion**

6. In view of the foregoing, it is ORDERED THAT by **Friday, 2 May 2025**, the Applicant shall file a rejoinder addressing the Respondent's arguments in the reply and, **more specifically**, responding to the receivability issues raised by the Respondent.

*(Signed)*

Judge Francesco Buffa

Dated this 18<sup>th</sup> day of March 2025

Entered in the Register on this 18<sup>th</sup> day of March 2025

*(Signed)*

Liliana López Bello, for Wanda L. Carter, Registrar, Nairobi