



Before: Judge Sean Wallace

Registry: Nairobi

Registrar: Wanda L. Carter

OOKO

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

ORDER ON CASE MANAGEMENT

Counsel for Applicant:

Kelvin Njuguna Mugwe

Counsel for Respondent:

Nicole Wynn, AS/ALD/OHR/UN Secretariat

Victoria Nakaddu Mujunga, AS/ALD/OHR/UN Secretariat

Introduction

1. By application filed on 7 October 2024, the Applicant, a former Chief of Unit, Information Systems and Telecommunications working with the United Nations Integrated Transition Assistance Mission in Sudan filed an application contesting:

- a. The 19 May 2024 decision to terminate his permanent appointment due to abolition of the post he encumbered;
- b. The decision not to retain him in service in accordance with staff rule 9.6 (c); and
- c. The decision not to pay him repatriation grant upon his separation from the Organization.

2. The Respondent submitted a reply on 7 November 2024.

3. By Order No. 152 (NBI/2024), the Tribunal undertook the first judicial action in the case. By that Order, the Applicant was directed to file a rejoinder addressing the Respondent's arguments in the reply.

4. The Applicant complied with the Order and filed the rejoinder on 29 November 2024.

5. On 8 April 2025, the Applicant filed what he terms as an application for case management directions. Among others, the Applicant states that:

[He] is concerned that, although the rules stipulate that the Tribunal shall take judicial action within 90 days from the date when the complete application was filed, the Applicant has not received directions from the Tribunal to date-more than one hundred and twenty (120) days since the Applicant filed his rejoinder to the Respondent's response.

6. In his request, the Applicant seeks case management directions, including:

- a. The status of the proceedings;
- b. Filing of written submissions by both parties within a specified timeline; and

- c. Any other issue the Tribunal deems appropriate to facilitate a fair and expeditious resolution of the case.

Consideration

7. Pursuant to art. 19.2 of its Rules of Procedure, the Tribunal is required to undertake a judicial action within 90 days from the date when the complete application was filed. Contrary to the Applicant's contention, the Tribunal undertook a judicial action already, via the issuance of Order No. 152 (NBI/2024) on 13 November 2024.

8. The Tribunal also informs the Applicant that the case is currently under consideration by the judge. It is worth highlighting that the cases generally are handled following the order in which they were filed. Presently, before the assigned Judge, there are eight older cases on the docket.

9. With regard to the Applicant's request for the parties to file further written submissions, the Applicant is informed that should the Judge determine that such further submissions are required, the parties will be so advised.

Conclusion

10. In view of the foregoing, the Applicant is advised:

- a. To take note of the considerations contained in paras. 7 to 9 above; and
- b. That the Tribunal, at the appropriate time, will issue further directions to the parties.

(Signed)

Judge Sean Wallace

Dated this 11th day of April 2025

Case No. UNDT/NBI/2024/062

Order No. 48 (NBI/2025)

Entered in the Register on this 11th day of April 2025

(Signed)

Liliana Lopez-Bello for Wanda L. Carter, Registrar, Nairobi