



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NBI/2025/055
Order No.: 92 (NBI/2025)
Date: 24 June 2025
Original: English

Before: Duty Judge
Registry: Nairobi
Registrar: Wanda L. Carter

KONAN

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**ORDER
ON CASE MANAGEMENT**

Counsel for Applicant:

Self-represented

Counsel for Respondent:

Nisha Patel, AS/ALD/OHR

Charlene Ndirangu, AS/ALD/OHR

Introduction

1. The Applicant was a P-3 Legal Officer with the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA), until he was separated on 30 November 2024, due to downsizing and closure of the mission.
2. On 19 May 2025, he filed an application with the United Nations Dispute Tribunal sitting in Nairobi to challenge a decision by the administration to cancel, and subsequently not select him, on a recruit-from-roster job opening for a P-3 Legal Affairs Officer in the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO). The Applicant submits that due to his downsize status, he was entitled to priority consideration for recruitment, and that the Administration had an obligation to place him on the position.
3. The Respondent filed a timely reply to the application on 20 June 2025. In its reply, the Respondent submits that this application is not receivable as being “outside the Dispute Tribunal’s subject matter jurisdiction”. The Respondent avers that the cancellation of the job opening is not a final administrative decision which is in non-compliance with the Applicant’s employment contract.
4. The Respondent further avers that should the application be considered timely, the decision to cancel the job opening was lawful under the Administration’s wide discretion in staff selection matters.
5. The Respondent requests that the application be dismissed in its entirety.

Consideration

6. The Tribunal has considered the parties’ submissions and deems it appropriate to give the Applicant an opportunity to respond to the Respondent’s reply, particularly on the issue of receivability.

Conclusion

In view of the foregoing, it is ORDERED THAT:

7. The Applicant is directed to file his rejoinder by **5 p.m. (Nairobi time)**, on **Thursday, 24 July 2025**; and

8. The rejoinder shall not exceed five pages, in font Times New Roman, font size 12, line spacing of 1.5 lines.

(Signed)

Judge Sean Wallace (Duty Judge)

Dated this 24th day of June 2025

Entered in the Register on this 24th day of June 2025

(Signed)

Wanda L. Carter, Registrar, Nairobi