



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NBI/2025/040  
Order No.: 94 (NBI/2025)  
Date: 26 June 2025  
Original: English

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

GAUDIEL

v.

SECRETARY-GENERAL  
OF THE UNITED NATIONS

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**ORDER  
ON CASE MANAGEMENT**

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**Counsel for Applicant:**

Manuel Calzada

**Counsel for Respondent:**

Nicole Wynn, AS/ALD/OHR, UN Secretariat  
Nasuru Magomu, AS/ALD/OHR, UN Secretariat

## **Introduction**

1. The Applicant held a continuing appointment with the United Nations Secretariat and was most recently assigned as a paramedic to the United Nations Investigative Team to Promote Accountability for Crimes Committed by Da'esh/ISIL (UNITAD).

2. On 21 April 2025, he filed an application with the United Nations Dispute Tribunal sitting in Nairobi challenging a) the Respondent's decision to terminate the Applicant's continuing appointment following the abolition of his post; b) the Respondent's failure to provide the Applicant with priority consideration for reassignment to other suitable posts; and c) the Respondent's failure to complete the processing and timely disbursement of the Applicant's terminal entitlements and financial benefits as mandated by the UN Staff Regulations and Staff Rules.

3. The Respondent replied to the application on 28 May 2025. He takes the position that this application is not receivable. In respect of the decision to abolish his post, the Applicant signed an MOU waving his right to challenge the abolition of his post; the MOU provided for him to continue serving through to 31 December 2024 rather than separate on 17 September 2024, which should have been the effective date of termination. The Applicant also sought management evaluation of this decision late, and did not request management evaluation of the Organisation's alleged failure to give him priority consideration. Finally, in respect of his terminal entitlements, these were paid to him on 21 February, 27 February and 15 April 2025; thus, rendering the challenge moot.

## **Consideration**

4. 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**

5. The Applicant is directed to file his rejoinder by **18 July 2025**.

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*(Signed)*

Judge Sean Wallace (Duty Judge)

Dated this 26<sup>th</sup> day of June 2025

Entered in the Register on this 26<sup>th</sup> day of June 2025

*(Signed)*

Wanda L. Carter, Registrar, Nairobi