



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NBI/2025/035
Order No.: 100 (NBI/2025)
Date: 10 July 2025
Original: English

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

PASI

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

CASE MANAGEMENT ORDER

Counsel for Applicant:
Self-represented

Counsel for Respondent:
Nicole Wynn, AS/ALD/OHR, UN Secretariat
Victoria Mujunga, AS/ALD/OHR, UN Secretariat

Introduction

1. The Applicant is a Field Language Assistant with the United Nations Mission in South Sudan (UNMISS).
2. On 14 April 2025, he filed an application with the United Nations Dispute Tribunal sitting in Nairobi to challenge a decision by the administration to submit his request for child dependency benefits to the Office of Internal Oversight Services (OIOS) for review.
3. The Applicant further submits that the Administration's review of his claim and rejection of documents supporting his request for dependent child allowance and parental leave benefits was retaliatory, based on his ongoing case against the Administration for "gross medical negligence" in connection with an ABCC claim for injuries dating back to 2016.
4. The Respondent filed a timely reply to the application on 16 May 2025. In its reply, the Respondent submits that this application is not receivable *ratione materiae* in respect to the OIOS referral, as the referral to OIOS is merely a preparatory step in the investigative process, and not a final administrative decision. The Respondent further avers that the referral did not adversely affect the Applicants rights or cause him direct harm.
5. The Respondent alternatively argues that should the application be found to be receivable, the contested decision was a lawful in that the Administration is obligated to ensure that the information they receive in support of such requests is complete and adequate, and is further obliged to report inconsistencies in documentation submitted to support claims which may indicate potential misconduct.
6. The Respondent submits that the applicant has produced no evidence of retaliation and has not met the burden of showing ill-motive in respect of the referral to OIOS.
7. The Respondent requests the Tribunal to dismiss the application.

8. The Respondent requests that the application be dismissed in its entirety.

Consideration

9. 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 issues of receivability and retaliation.

Conclusion

10. In view of the foregoing, it is ORDERED THAT:
- a. The Applicant is directed to file his rejoinder by **5 p.m. (Nairobi time), on Monday, 21 July 2025**; and
 - b. 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 10th day of July 2025

Entered in the Register on this 10th day of July 2025

(Signed)

Wanda L. Carter, Registrar, Nairobi