UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NBI/2024/063
Order No.: 133 (NBI/2025)
Date: 20 August 2025
Original: English

Before: Sean Wallace

Registry: Nairobi

Registrar: Wanda L. Carter

RUDOLF JOCONDO

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

ORDER ON CASE MANAGEMENT

Counsel for Applicant:
Adjovi S. Roland, *Etudes Vihodé Ltée*
Wilson A. Kreil, *Etudes Vihodé, Ltée*

Counsel for Respondent:
Lucienne Pierre, DAS/ALD/OHR, UN Secretariat
Tamal Mandal, DAS/ALD/OHR, UN Secretariat

Introduction

1. By application filed on 15 October 2024, the Applicant, Chief, Office of the Director-General, United Nations Office at Nairobi, filed an application contesting the decision to not select him for the position of Head of Office, Political Affairs, D-2, for Job Opening #222830.

2. In Order No. 159 (NBI/2024), the Duty Judge directed the Applicant to file:

a. A table showing the expected testimony of each witness listed in paragraph 24 of the application; and

b. All evidence to support his claim of collusion between persons involved in the approval process and the selected candidate (see, paragraph 22).

3. The Applicant filed his submissions pursuant to Order No. 159, and on 19 August 2025 the case was assigned to the undersigned Judge.

Considerations

4. A review of the Applicant's submissions shows that the table of expected testimony is too vague and general to determine whether the witness(es) should be called to provide testimony at a hearing. For example, the Applicant repeatedly asserts that several witnesses "will testify as to the discussion within the [interview] panel leading to the final decision" and/or "will testify as to the way in which the panel conducted its work and his own contribution to the outcome."

5. The table also includes a statement that the Head of Mission will "be questioned about how she influenced the decision of the members of the two panels". This statement assumes that the Head of Mission did, in fact, influence the decision of the panels, an assertion which is rejected by the Respondent. Thus, it is necessary to know exactly what the Head of Mission will say about this.

6. The table also indicates that the Applicant will "testify on his career and the recruitment process which is at the heart of this case, including his communication

with some of those stakeholders." The Tribunal notes that the Applicant's career spanned decades and that the table again is too vague and general to assess the relevance of his career nor the details of any relevant communications with stakeholders.

7. To better determine which, if any, of the proposed witnesses should be called to testify at a hearing, the Tribunal instructs the Applicant to provide signed witness statements from each of the proposed witnesses (including himself), setting out in detail and with precision, the facts which that witness would provide in testimony.

Conclusion

8. In view of the foregoing, it is ordered that these statements shall be filed no later than **Monday, 8 September 2025.**

(Signed)
Judge Sean Wallace
Dated this 20th day of August 2025

Entered in the Register on this 20th day of August 2025

(Signed)
Wanda L. Carter, Registrar, Nairobi