
UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NBI/2019/047

OrderNo.: 095(NBI/2020)

Date: 18 May 2020

Original: ET Q q BT .0 42DBTf

Introduction

1. The Applicant is contesting the United Nations Development Programme's ("UNDP") decision not to renew his fixed term appointment beyond 31 December 2018.

2. By Order No. 193 (NBI/2019), issued on 20 November 2019 in response to the Applicant's request the Tribunal directed the Respondent to:

- a. Disclose the documents relevant to the restructuring process including the Terms of Reference ("TORs") for the restructuring process, the Management Consulting Team's ("MCT") report and the recommendations following the review undertaken from 30 April 2017 until 11 May 2017;
- b. Disclose the documents and other relevant information relating to the abolition of the post the Applicant encumbered including the identity of the decision maker and the factors taken into consideration for the retention or abolition of posts;
- c. Provide the information and relevant documents about the budget, particularly in view of the Respondent's contention that it would not have been financially sustainable to retain the Applicant's post;
- d. Confirm whether the Applicant was subjected to a comparative review process, and provide supporting documents, if any; and
- e. Provide information relating to the process followed by UNDP to fill the position of Programme Analyst ("NOB"), No. 00000616 giving reasons why the Applicant was not considered for the position.

3. The Respondent filed the documents and other relevant submissions on 4 December 2019.

4. In light of the Respondent's submissions dated 4 December 2019, the Tribunal issues the following:

ORDERS

5. The Applicant is directed to express his position in light of the documents filed by the Respondent. The Applicant shall indicate whether there are contested facts, how they are relevant and what evidence he offers, including whether a hearing is necessary.

6. The information requested shall be submitted Monday, 25 May 2020.

(Signed)

Judge Agnieszka Klonowicz Milart

Dated this 18th day of May 2020

Entered in the Register on this 16th day of May 2020

(Signed)

Abena Kwakye Berko