



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NBI/2018/048

Judgment No.: UNDT/2019/174

Date: 11 December 2019

Original: English

Before: Judge Margaret Tibulya

Registry: Nairobi

Registrar: Abena Kwakye Berko

MASWISWI

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

SUMMARY JUDGMENT

ON DISMISSAL FOR
ABANDONMENT OF PROCEEDINGS

Counsel for the Applicant:
Ron Mponda

Counsel for the Respondent:
Elizabeth Brown, UNHCR

Background and Procedural History

1. The Applicant was a Supply Associate at the United Nations High Commissioner for Refugees (UNHCR) office in Harare, Zimbabwe. She served at the G-6 level on a fixed term appointment.
2. On 13 April 2018, the Applicant filed an application with the United Nations Dispute Tribunal (UNDT) in Nairobi. The Applicant is challenging the disciplinary post and separate her from service of the Organisation.
3. On 18 May 2018, the Respondent filed his reply to the application.
4. The Applicant responded to the reply on 14 June 2018.
5. On 25 November 2019, the Tribunal issued Order No. 200 (NBI/2019) setting this matter down for a case management discussion in December 2019. The Order was served on the Counsel on record for the Applicant and the Respondent.
6. The Registry followed up on the Order by writing to the Applicant using the email address provided on the application on 26 and 27 November 2019. Neither the Order nor the emails elicited a response.
7. The Registry also attempted to get in touch with the Counsel acting for the Applicant, to no avail. The emails to the Applicant, were followed-up with phone calls to the phone numbers provided by the Applicant. One phone call to the UNHCR Office number provided was answered by a staff member who informed the Registry that Mr Mponda, Counsel on record, had left the duty station over a year ago. The Office did not have current contact details for Mr. Mponda.
8. On 2 December 2019, the Registry wrote to the Applicant again asking her to get in touch.

