



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NBI/2013/091

Order No.: 158 (NBI/2014)

Date: 13 June 2014

Original: English

Before: Judge Vinod Boolell

Registry: Nairobi

Registrar: Abena Kwakye Berko

KINYUA

v.

SECRETARY GENERAL
OF THE UNITED NATIONS

CHANGE OF VENUE ORDER

Counsel for the Applicant:
Charles Ongwe Ongweso and Co. Advocates

Counsel for the Respondent:
Susan M547ylt:

Introduction and Procedural History

1. On 13 December 2013, the Applicant filed an Application with the United Nations Dispute Tribunal (Tribunal/UNDT) contesting the decision of the Assistant Secretary General of the Office of Human Resource Management (ASG/OHRM) that there was no misconduct on the part of Dr Ling Kituyi, following a report of the fact-finding panel that was established pursuant to ST/SGB/2008/5 (Prohibition of Discrimination, Harassment, Including Sexual Harassment, and Abuse of Authority).
2. The Applicant was notified of the impugned decision on 6 June 2013. She sought management evaluation on 1 August 2013. On 8 November 2013, management evaluation upheld the impugned decision.
3. The Application was served on the Respondent on 16 December 2013 and he was given until 15 January 2014 to file his Reply.
4. On 6 January 2014 Counsel for the Respondent filed a Motion for Extension of Time to File a Reply seeking an additional three weeks.
5. On 13 January 2014, the Tribunal issued Order No. 002 (NBI/2014) granting the Respondent's motion.
6. The Respondent filed his Reply to the Application on 5 February 2014.
7. Following consultations amongst the Judges based in Nairobi and Geneva, and the respective Registries it was decided that the present matter should be transferred to the UNDT in Geneva.
8. On 22 May 2014, the Registry wrote to the Tribunal.

