



UNITED NATIONS APPEALS TRIBUNAL
TRIBUNAL D'APPEL DES NATIONS UNIES

Case No. 2010-058



Atogo
(Appellant)



THE UNITED NATIONS APPEALS TRIBUNAL

Judgment No. 2010-UNAT-054

and enter a summary judgment in his favour; or, alternatively, by failing to transfer his case to the UNDT in Geneva or in New York.

5. Atogo requests that the Order of the UNDT be reversed or quashed, that the applications be allowed, and that costs be awarded to Atogo.

Secretary-General's Answer

6. The Secretary-General responds that Joerg Weich is a staff member of the United Nations Office at Nairobi in the Human Resources Management Service. As part of his duties and responsibilities, Weich represents the Secretary-General before the UNDT. Atogo has no right to challenge the Secretary-General's choice of counsel.

7. The Secretary-General requests the Appeals Tribunal to dismiss the appeal in its entirety.

Considerations

8. As a preliminary matter, the Appeals Tribunal rejects Atogo's request for an oral hearing because there is no need for further clarification.

9. This is an appeal from an interlocutory decision of the UNDT to deny Atogo's motion to strike out the defence of the Secretary-General and enter a summary judgment, or to transfer the matter from Nairobi to Geneva or New York. The UNDT also made case management directions. In Bertucci, ¹

