



**Before:** Judge Francesco Buffa

**Registry:** Geneva

**Registrar:** René M. Vargas M.

CONTEH

v.

SECRETARY-GENERAL  
OF THE UNITED NATIONS

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**ORDER  
ON CASE MANAGEMENT**

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**Counsel for Applicant:**

Joseph Amisi

**Counsel for Respondent:**

Elizabeth Brown, UNHCR  
Francisco Navarro, UNHCR

## **Introduction**

1. By an application filed on 28 March 2018, the Applicant, a former staff member of the Office of the United Nations High Commissioner for Refugees (“UNHCR”), contests the decision to separate him from service with compensation in lieu of notice and without termination indemnity.

2. On 30 April 2018, the Respondent filed his reply arguing that the application is without merit as the Organization considered all relevant facts, applied the relevant norms and followed established procedures in reaching the contested decision.

3. By Order No. 30 (GVA/2020) of 10 March 2020, the Tribunal called the parties for a case management discussion (“CMD”) to be held on Wednesday, 25 March 2020. The Tribunal also ordered the parties to file any further documents that they deem relevant to the case as well as a list of potential witnesses.

4. On 13 March 2020, the parties filed a list of their potential witnesses. However, the Applicant requested an additional period of 14 days “to contact his potential witnesses and receive their feedback, record their witness statements, complete his own witness statement and to conclusively file any relevant additional documents, witness statements and a final comprehensive list of witnesses”.

## **Consideration**

5. In view of several major developments related to the COVID-19 outbreak, the Organization has taken measures worldwide to mitigate the potential spread of the virus. In line with these measures, the Tribunal considers appropriate to postpone the CMD scheduled to take place on Wednesday, 25 March 2020. The parties will be consulted in due course to determine a new date.

6. Considering the number of potential witnesses that the parties have identified, and taking into account that many of them will most probably confirm what they have already stated in their interview records, which are annexed to the investigation report, the Tribunal considers that written statements will allow a

more expedite instruction. Nevertheless, the parties are free to call the same witnesses for oral testimony on specific facts to be clearly indicated.

### **Conclusion**

7. In view of the foregoing, it is ORDERED that:
  - a. The CMD scheduled for **Wednesday, 25 March 2020** is hereby postponed; and
  - b. By **Wednesday, 15 April 2020**, the parties are to file:
    - i. Any relevant additional documents;
    - ii. The written statements of the witnesses that have only to confirm the interview records or to testify on individual facts; and
    - iii. A list of remaining witnesses, if necessary, to be heard on specific facts, to be clearly indicated.

*(Signed)*

Judge Francesco Buffa

Dated this 17<sup>th</sup> day of March 2020

Entered in the Register on this 17<sup>th</sup> day of March 2020

*(Signed)*

René M. Vargas M., Registrar, Geneva