



**Before:** Judge Teresa Bravo

**Registry:** Geneva

**Registrar:** René M. Vargas M.

APPLICANT

v.

SECRETARY-GENERAL  
OF THE UNITED NATIONS

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**ORDER  
ON CASE MANAGEMENT**

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**Counsel for Applicant:**

Marcos Zunino, OSLA  
Ana Giulia Stella, OSLA

**Counsel for Respondent:**

Isavella Maria Vasilogeorgi, AAS/ALD/OHR, UN Secretariat

## **Introduction**

1. By application filed on 3 August 2020, the Applicant, a staff member of the United Nations Office on Drugs and Crime (“UNODC”), contests the decision to impose on him the disciplinary sanction of loss of five steps, and deferment for two years of eligibility for consideration for promotion, as well as the administrative measure of requiring him to take training to improve his gender awareness and managerial sensitivity towards handling harassment issues.
2. On 2 September 2020, the Respondent filed his reply.
3. On 10 November 2021, the present case was assigned to the undersigned Judge.
4. On 6 January 2022, the Tribunal issued Order No. 1 (GVA/2022) notifying the parties of a tentative schedule for a hearing on the merits.
5. The hearing on the merits was held from 24 January 2022 to 27 January 2022.

## **Consideration**

### *Production of evidence*

6. Art. 9.1 of the Tribunal’s Statute provides that it “may order production of documents or such other evidence as it deems necessary”. Art. 18.2 of its Rules of Procedure also states that:

The Dispute Tribunal may order the production of evidence for either party at any time and may require any person to disclose any document or provide any information that appears to the Dispute Tribunal to be necessary for a fair and expeditious disposal of the proceedings.

7. Having reviewed the parties’ submissions, the Tribunal finds it necessary, for a fair and expeditious disposal of the case, to instruct:
  - a. The Applicant to file a document showing his absence from the office between 14 February 2018 and 31 August 2018; and

b. The Respondent to file a document showing V01's absence from office for the same period.

8. On 27 January 2022, the Tribunal conveyed its instructions to the parties during the hearing.

9. Accordingly, on 28 January 2022, the Applicant filed a document showing his absence from the office between 14 February 2018 and 31 August 2018. On the same day, the Respondent filed a document showing V01's absence from the office from 14 February 2018 to 31 December 2018.

10. In light of the foregoing, the Tribunal finds it appropriate to admit the above mentioned two documents into the record.

*Written closing submissions*

11. In view of the complexity of the present matter, and considering the significance of the legal issues involved, after the parties made their oral closing submissions the Tribunal decided to direct them to file their closing submissions in writing within 15 working days of this Order.

12. Pursuant to art. 19 of the Tribunal's Rules of Procedure, for a fair and expeditious disposal of the case, and to do justice to the parties,

IT IS ORDERED THAT:

13. The two documents filed by the parties and referred to in para. 9 above shall be part of the record of this case.

14. By **Monday, 21 February 2022**, the parties shall file their respective closing submission.

*(Signed)*

Judge Teresa Bravo

Dated this 31<sup>st</sup> day of January 2022

Case No. UNDT/GVA/2020/035

Order No. 13 (GVA/2022)

Entered in the Register on this 31<sup>st</sup> day of January 2021

*(Signed)*

René M. Vargas M., Registrar, Geneva