



Before: Judge Margaret Tibulya

Registry: Geneva

Registrar: René M. Vargas M.

APPLICANT

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**ORDER
ON CASE MANAGEMENT**

Counsel for Applicant:

George Irving

Counsel for Respondent:

Miryoungh An, AAS/ALD/OHR, UN Secretariat

Introduction

1. By Order No. 57 (GVA/2023) of 8 June 2023, the Tribunal convoked the parties to a case management discussion (“CMD”).
2. On 13 June 2023, a virtual CMD took place, as scheduled, through Microsoft Teams, with the presence of Counsel for each party and the Applicant.

Consideration

List of witnesses

3. The Tribunal recalls that the Appeals Tribunal requires it to “at the very least hear the evidence of the complainants, any eyewitnesses to the incidents, the persons to whom the first report was made, and the three witnesses identified” (see *Appellant 2022-UNAT-1210*, para. 60). Moreover, art.17.1 of the Tribunal’s Rules of Procedure permits parties to call witnesses to testify and allows for cross-examination.
4. During the CMD, the parties proposed their respective list of potential witnesses without clearly indicating their availability. For the sake of clarity, the Tribunal instructs the parties to file their respective list of witnesses within five working days from the date of this Order, and to indicate the issues on which the proposed witnesses will testify.
5. The parties are further advised that a hearing on the merits would tentatively take place through Microsoft Teams from **Wednesday, 12 July 2023** to **Friday, 14 July 2023**, starting at 2 p.m. (Geneva time). Counsel are therefore asked to enquire with their witnesses about their availability for these dates.

Bundle of documents

6. For the purpose of the hearing, the parties shall prepare an agreed bundle of documents that will include any document they may refer to at the hearing.

Conclusion

7. In view of the foregoing, it is ORDERED THAT:

- a. By **Tuesday, 20 June 2023**, the parties file their respect list of witnesses indicating the latter's availability for the hearing; and
- b. By **Tuesday, 27 June 2023**, the parties submit an agreed bundle of documents that they intend to rely upon at the hearing.

(Signed)

Judge Margaret Tibulya

Dated this 14th day of June 2023

Entered in the Register on this 14th day of June 2023

(Signed)

René M. Vargas M., Registrar, Geneva