



Before: Judge Sun Xiangzhuang

Registry: Geneva

Registrar: René M. Vargas M.

NAEEM

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**ORDER
ON CASE MANAGEMENT**

Counsel for Applicant:
Muhammad Asim Bhatti

Counsel for Respondent:
Esther Shamash, UNDP

Introduction

1. On 30 August 2022, the Applicant, a staff member of the United Nations Development Programme Country Office in Pakistan, filed an application with the Tribunal contesting the decision to “introduce ... a new staffing structure ... through which [his] position (Programme Associate GS-6) ... [was] being abolished”.
2. On 19 October 2022, the Respondent filed his reply challenging, *inter alia*, the receivability of the application.
3. By Order No. 104 (GVA/2023) of 22 August 2023:
 - a. The Respondent was ordered to provide updated information concerning the restructuring exercise and its impact on the Applicant’s employment; and
 - b. The Applicant was instructed to file a rejoinder.
4. On 5 September 2023, the Respondent informed the Tribunal that “no decision [had] been made to separate the Applicant and that he continu[ed] to serve at the G-6 level”.
5. On 7 September 2023, the Applicant filed a rejoinder.
6. On 7 November 2023, the Applicant informed the Tribunal that he had been requested by the Administration to confirm his interest in another position at the G-5 level.

Consideration

7. Having examined the parties’ submissions to date and the evidence on record, the Tribunal considers that the matter can be determined without holding a hearing and can proceed to the filing of closing submissions subject to the Applicant:

a. Responding to the Respondent's arguments on the issue of receivability in the present case, which he shall do in his closing submission; and

b. Providing the Tribunal with the "separation notice" to which he refers to in para. 3 of his rejoinder.

8. In view of the foregoing and pursuant to art. 19 of the Tribunal's Rules of Procedure,

IT IS ORDERED THAT

9. By **Wednesday, 15 November 2023**, the Applicant shall file the document indicated in para. 7.b above.

10. By **Monday, 20 November 2023**, the parties shall file their respective closing submission.

11. The Applicant shall include in his closing submission, his argument(s), if any, with respect to the issue of receivability that the Respondent raised in his reply.

12. The Respondent shall include in his closing submission, updated information, if any, concerning the restructuring exercise and its impact on the Applicant's employment, as well as his comments on the Applicant's 15 November 2023 submission, if any.

(Signed)

Judge Sun Xiangzhuang

Dated this 9th day of November 2023

Entered in the Register on this 9th day of November 2023

(Signed)

René M. Vargas M., Registrar, Geneva