



Before: Judge Sun Xiangzhuang

Registry: Geneva

Registrar: René M. Vargas M.

DE JAEGERE

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**ORDER
ON CASE MANAGEMENT**

Counsel for Applicant:

Ludovica Moro
Eline Tritsmans

Counsel for Respondent:

Jacob B. van de Velden, DAS/ALD/OHR, UN Secretariat
Maria Romanova, DAS/ALD/OHR, UN Secretariat

Introduction

1. The Applicant, a former Crime Prevention and Criminal Justice Officer at the United Nations Office on Drugs and Crime (“UNODC”), contests the decision of 30 November 2022 to separate him from service, with compensation in lieu of notice and without separation indemnity.
2. On 27 February 2023, the Applicant filed a motion for extension of time to file an application, which was granted. The complete application was then filed on 20 March 2023.
3. On 20 April 2023, the Respondent filed his reply.
4. In response to an instruction from the Tribunal, the Applicant filed a rejoinder on 12 June 2023.
5. On 1 February 2024, the case was assigned to the undersigned Judge.
6. By Order No. 21 (GVA/2024), the Tribunal invited the parties to a case management discussion (“CMD”), which was held virtually via Microsoft Teams on Tuesday, 9 April 2024.
7. By Order No. 30 (GVA/2024) of 12 April 2024, the Tribunal:
 - a. Rejected the Applicant’s motion for anonymity;
 - b. Instructed the Respondent to file *ex parte* all the supporting documents of the Office of Internal Oversight Services (“OIOS”) investigation, duly numbered and indexed;
 - c. Instructed the parties to identify the relevant witnesses for a hearing on the merits, further confirming their availability to attend a hearing on the merits at the proposed dates; and
 - d. Instructed the parties to file a joint submission with an agreed hearing bundle of documents annexed to it.

8. On 19 April 2024, the Respondent complied with the first part of Order No. 30 (GVA/2024), filing *ex-parte* the supporting documents of the OIOS investigation.

9. By Order No. 37 (GVA/2024), the Tribunal decided that the aforementioned supporting documents of the OIOS investigation would not be disclosed to the Applicant and would not be considered by the Tribunal in its adjudication of this case. As a result, the Tribunal rejected the Applicant's motion for production of evidence.

10. On 26 April 2024, the Respondent submitted a list of potential witnesses to give testimony at a hearing on the merits in response to the second part of Order No. 30 (GVA/2024). On the same day, the Applicant filed a request to postpone the hearing provisionally scheduled between 13 and 17 May 2024.

Consideration

11. In his motion, Counsel for the Applicant informed the Tribunal that the Applicant is suffering from health issues and thus unable to provide instructions to Counsel regarding the list of witnesses to be called to a hearing on the merits, and to attend any judicial proceedings, including being examined and cross-examined at the provisionally scheduled upcoming hearing.

12. In support of his motion, the Applicant filed *ex-parte* a medical certificate attesting to the aforementioned health issues. Additionally, it certifies that “[the Applicant] needs immediate rest for a period of at least 3 months” and that he cannot participate in legal proceedings at this time.

13. Considering the Applicant's current certified health condition, the Tribunal will exceptionally grant the request and suspend the proceedings for three months, i.e., until Tuesday, 30 July 2024, or until the Applicant's current health condition improves, whichever comes first. The Tribunal will then issue relevant instructions for further case management.

14. In the event that the Applicant requires a further suspension of the proceedings, he must file a motion in support of his request with an *ex-parte* copy of an updated medical report/certificate detailing his condition and prognosis.

Conclusion

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

- a. The Applicant's motion for suspension of proceedings is granted;
- b. The proceedings in the present matter are suspended until **Tuesday, 30 July 2024**, or until the Applicant's current health condition improves, whichever comes first.

(Signed)

Judge Sun Xiangzhuang

Dated this 30th day of April 2024

Entered in the Register on this 30th day of April 2024

(Signed)

René M. Vargas M., Registrar, Geneva