



**Before:** Judge Sun Xiangzhuang

**Registry:** Geneva

**Registrar:** René M. Vargas M.

DE JAEGERE

v.

SECRETARY-GENERAL  
OF THE UNITED NATIONS

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**ORDER  
ON CASE MANAGEMENT**

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**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:
    - i. 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

ii. 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.

11. By Order No. 43 (GVA/2024) of 30 April 2024, the Tribunal granted the Applicant's motion and suspended the proceedings until 30 July 2024. The Tribunal further instructed the Applicant, should he require a further suspension of the proceedings, to file a motion with an updated medical report detailing his condition and prognosis.

12. On 15 July 2024, Counsel for the Applicant filed *ex-parte* an updated medical report attesting to the worsening of the Applicant's medical condition.

13. On 25 July 2024, Counsel for the Applicant filed a motion requesting a further suspension of the proceedings until further notice due to the Applicant's serious medical condition.

### **Consideration**

14. Due to the Applicant's unavailability to attend any judicial proceedings on the ground of serious health issues, he is requesting a further suspension of the proceedings "until further notice". In support, the Applicant provided a copy of his updated medical report, filed on an *ex-parte* basis, which indeed recommends the postponement of the case for at least one year.

15. Given the novelty of the request, which would be suspending the proceedings for an unknown period of no less than a year, the Tribunal will reserve its decision on the matter until the opposing party has submitted their position on it.

### **Conclusion**

16. In view of the foregoing, it is ORDERED THAT the Respondent file his comments on the Applicant's motion by **Monday, 5 August 2024**.

*(Signed)*

Judge Sun Xiangzhuang

Dated this 29<sup>th</sup> day of July 2024

Entered in the Register on this 29<sup>th</sup> day of July 2024

*(Signed)*

René M. Vargas M., Registrar, Geneva