



Before: Judge Sun Xiangzhuang

Registry: Geneva

Registrar: René M. Vargas M.

SOOBRAYAN

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**ORDER
ON CASE MANAGEMENT**

Counsel for Applicant:

Robbie Leighton, OSLA

Counsel for Respondent:

Alister Cumming, UNICEF

Introduction

1. By Judgment Soobrayan UNDT/2023/063, this Tribunal adjudicated Case No. UNDT/GVA/2022/007 (Soobrayan). The Respondent appealed said Judgment before the United Nations Appeals Tribunal (“UNAT” or the “Appeals Tribunal”).
2. By Judgment *Soobrayan* 2024-UNAT-1469/Corr.1, the Appeals Tribunal partially reversed the above UNDT Judgment and remanded the case for a hearing *de novo* in relation to two incidents.
3. On 14 August 2024, the remanded case, registered under Case No. UNDT/GVA/2022/007/R1, was assigned to the undersigned Judge.
4. By Order No. 114 (GVA/2024), the Tribunal decided to hold a virtual hearing on the merits on 10 and 11 October 2024 via Microsoft Teams and closed to the public.
5. On 23 September 2024, the parties were notified of a change to the tentative schedule due to time constraints of one of the witnesses.
6. On 4 October 2024, the Applicant filed a motion to adduce additional evidence. On the same day, the parties filed a joint bundle of documents for the upcoming hearing.
7. On 7 October 2024, the Respondent filed a motion for a witness’ protection measures.
8. By Order No. 127 (GVA/2024), the Tribunal granted the Respondent’s motion for a witness’ protection measures, and directed him to file a response to the Applicant’s 4 October 2024 motion.
9. By response filed on 8 October 2024, the Respondent did not object to the Applicant’s motion to adduce additional evidence.
10. Between 10 and 11 October 2024, the Tribunal virtually held a hearing on the merits.

Consideration

The Applicant's motion to adduce additional evidence

11. As per Order No. 127 (GVA/2024), the Tribunal reserved its ruling on the Applicant's motion to the start of the hearing on 10 October 2024.

12. Given the relevance of the evidence to the Applicant's examination of a witness and the lack of objection by the Respondent, the Tribunal granted the Applicant's motion and accepted the new evidence into the case record.

Closing submissions

13. Having examined the evidence on record and having considered the testimonies heard at the hearing on the merits, the Tribunal considers appropriate to instruct the parties to file written closing submissions.

14. The Tribunal further advise the parties to dedicate part of their closing submissions to develop on the two incidents under review with specific references to the evidence already on record supporting their position.

Conclusion

15. In view of the foregoing, it is ORDERED THAT by **Tuesday, 5 November 2024** the parties file their respective closing submission, which shall:

- a. Not exceed 10 pages using font type Times New Roman, font size 12 pts and 1.5 line spacing; and
- b. Exclusively refer to the evidence already on file.

(Signed)

Judge Sun Xiangzhuang

Dated this 22nd day of October 2024

Entered in the Register on this 22nd day of October 2024

(Signed)

René M. Vargas M., Registrar, Geneva