



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NBI/2018/030

Order No.: 032 (NBI/2020)

Date: 10 February 2020

Original: English

Before: Judge Rachel Sophie Sikwese

Registry: Nairobi

Registrar: Abena Kwakye-Berko

GISAGE

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

ORDER ON CASE MANAGEMENT

Counsel for the Applicant:

Abbe Jolles

Counsel for the Respondent:

Matthias Schuster, AAS/ALD/OHR

Susan Maddox, AAS/ALD/OHR

Background

1. On 23 February 2018, the Applicant filed an application contesting the Under-Secretary-General for Management's (USG/DM) decision to impose on him the disciplinary sanction of dismissal from service for serious misconduct in accordance with staff rule 10.2(a)(ix).
2. The Respondent filed a reply on 28 March 2018 and an amended reply on 24 October 2019 pursuant to the Tribunal's Order No. 155 (NBI/2019).
3. The Tribunal held a case management discussion (CMD) on 7 February 2020.
4. At the CMD, the parties agreed that the legal issue arising for consideration in this case is whether there was clear and convincing evidence that the Applicant engaged in serious misconduct warranting the disciplinary action of dismissal from service. The parties agreed that there was no need for an oral hearing and that the case record was complete.

ORDER

5. The Tribunal has decided, pursuant to arts. 16.1 and 19 of its Rules of Procedure, that an oral hearing is not necessary for a fair and expeditious disposal of the case and shall rely on the parties' pleadings and supporting documentation.
6. The parties shall file their closing submissions by or before 23 March 2020.

(Signed)

Judge Rachel Sophie Sikwese

Dated this 10th day of January 2020

Entered in the Register on this 10th day of January 2020

(Signed)

Eric Muli, Legal Officer, for
Abena Kwakye-Berko, Registrar, Nairobi