



Before: Judge Margaret Tibulya

Registry: Nairobi

Registrar: Abena Kwakye-Berko

GUSAROVA

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

ORDER ON CASE MANAGEMENT

Counsel for the Applicant:
Self-represented

Counsel for the Respondent:
Chinonyelum Esther Uwazie, UNICEF

Background

1. At the time of application, the Applicant was serving as a Human Resource Manager at the UNICEF East-South Africa Regional Office (ESARO) in Nairobi, Kenya.
2. On 25 July 2018, she filed an application contesting the decision of the Office of Internal Audit and Investigations (OIAI) to dismiss her claim of abuse of authority and harassment.
3. The Respondent replied to the application on 7 September 2018. As a preliminary issue, the Respondent challenged the receivability of the application.
4. The Applicant filed her submissions in response on 25 February 2019.
5. On 15 November 2019, the Tribunal issued Judgment No. UNDT/2019/162 in which it held this matter to be receivable.
6. Pursuant to Order Nos. 210 (NBI/2019) and 054 (NBI/2020), the proceedings were suspended pending the parties' attempt at mediation.
7. On 18 March 2020, the Ombudsman for United Nations Funds and Programmes informed the Tribunal that the parties had reached a partial settlement regarding one of the remedies sought by the Applicant but that the parties will continue pursuing the rest of their claims before the Tribunal.

ORDERS

8. The Tribunal shall hold a case management discussion (CMD) commencing at 1545 hours on 16 April 2020 via video conferencing, details of which will be transmitted to the parties by the Registry. At the CMD, the parties should be fully prepared to discuss the following:
 - a. The essence of the claim and the core issues requiring factual

determination by the Tribunal;

b. Relevant jurisprudence and administrative issuances the Tribunal should take into consideration;

c. Any motions that require immediate judicial intervention; and

d. Whether the case may be decided on the documents or whether an oral hearing is necessary.

9. Should the parties deem a hearing to be necessary, they should be able to:

a. Identify the witnesses to be called and provide a synopsis of their anticipated evidence;

b. Agree on a date to file a paginated, agreed bundle of documents that will be referred to by the witnesses during the hearing; and

b. Agree on dates during the week of 4 May 2020 for a hearing.

(Signed)

Judge Margaret Tibulya

Dated this 14th day of April 2020

Entered in the Register on this 14th day of April 2020

(Signed)

Abena Kwakye-Berko, Registrar, Nairobi