



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NBI/2018/123
Order No.: 133 (NBI/2020)
Date: 15 July 2020
Original: English

Before: Judge Teresa Bravo
Registry: Nairobi
Registrar: Abena Kwakye-Berko

THIARE

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

ORDER ON CASE MANAGEMENT

Counsel for the Applicant:
Self-represented

Counsel for the Respondent:
Elisabeth Gall, AAS/ALD/OHR
Susan Maddox, AAS/ALD/OHR

Introduction

1. The Applicant is a former Security Officer at the FS-4 level, working with the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo in Kinshasa.
2. On 12 December 2018, he filed an application before the Dispute Tribunal contesting the disciplinary measure of dismissal imposed on him due to misconduct.¹
3. On 18 January 2019, the Respondent filed a reply to the application and among others, he requested that should the Tribunal not dismiss the application, he should be given an opportunity to make additional submissions with regard to compensation.²

ORDER

4. In light of the above, the Tribunal directs the Respondent to file submissions on whether, should the Tribunal find that the sanction was disproportionate, instead of dismissal, the disciplinary sanction should have been separation from service with compensation in lieu of notice or separation from service with termination indemnity.
5. The submissions shall be filed by **5.00 pm (Nairobi time) on 29 July 2020**.

(Signed)

Judge Teresa Bravo

Dated this 15th day of July 2020

¹ Application, section V.

² Reply, section IX, para 51.

Entered in the Register on this 15th day of July 2020

(Signed)

Abena Kwakye-Berko, Registrar, Nairobi