



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NBI/2021/022
Order No.: 006 (NBI/2022)
Date: 24 January 2022
Original: English

Before: Francesco Buffa
Registry: Nairobi
Registrar: Abena Kwakye-Berko

SZVETKO

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

ORDER ON CASE MANAGEMENT

Counsel for Applicant:

Jason Biafore, OSLA

Counsel for Respondent:

Louis Lapicerella, UNHCR
Marisa MacLennan, UNCHR

Introduction

1. At the time of the application, the Applicant served as an Associate Supply Officer, at the P-2 level with the United Nations High Commissioner for Refugees (“UNHCR”) in Tunisia.
2. On 18 March 2021, he filed an application before the United Nations Dispute Tribunal sitting in Nairobi to challenge the Respondent’s finding of misconduct, following which he was separated from service of the Organisation with compensation *in lieu* of notice and without termination indemnity pursuant to staff rule 10.2(a)(viii).
3. The Respondent filed his reply on 20 April 2021, stating that the impugned decision was lawful.

Order

4. The Tribunal has reviewed the parties’ submissions and, having in mind art. 16 paras. 1 and 2 of the Rules of Procedure of the UNDT, takes the view that the relevant facts in the present case are clear and there is no need to conduct a hearing on the merits as the matter can be determined on the basis of the files on record.
5. To this end, the parties are **DIRECTED** to file, by 31 January 2022, their closing submissions, which can have the maximum length of 10 pages, using Times new roman, font size 12, line spacing 1.5. In making their closing arguments, the parties are invited to focus in particular on the proportionality of the sanction as a factual and legal issue.

(Signed)

Francesco Buffa

Dated this 24th day of January 2022

Entered in the Register on this 24th day of January 2022

(Signed)

Eric Muli, Legal Officer, for

Abena Kwakye-Berko, Registrar, Nairobi