



Before: Judge Sean Wallace
Registry: Nairobi
Registrar: René M. Vargas M., Officer-in-Charge

NK

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

ORDER ON CASE MANAGEMENT

Counsel for Applicant:
Self-represented

Counsel for Respondent:
Anna Mildemberger, UNHCR
Jan Schrankel, UNHCR

Introduction

1. On 14 May 2024, the Applicant, a staff member at the Office of the United Nations High Commissioner for Refugees (“UNHCR”), filed an application contesting several administrative decisions.
2. The Respondent filed a reply on 27 June 2024.
3. On 9 July 2024, the Applicant filed a motion:
 - a. Seeking leave to file a response to the reply (“rejoinder”) and to be granted adequate time to file it; and
 - b. Requesting an oral hearing of his case.

Consideration

4. The Tribunal considers it appropriate and in the interest of justice to direct the Applicant to file a rejoinder.
5. As to the Applicant’s request to be granted adequate time to file a response to the reply, the Tribunal notes that it is grounded on his claim that he has a medical condition that exacerbates his challenge in sufficiently preparing his application with the required deadline. This claim is supported by a document diagnosing a medical condition and the course of this litigation reflects the difficulties that this medical condition poses to the Applicant. Accordingly, the Tribunal grants the Applicant six weeks to file his rejoinder.
6. It is premature to deal with the request for an oral hearing at this stage of the proceedings. For example, it is essential to know what witnesses the Applicant may call to testify at a hearing and what their testimony would be. Thus, the Tribunal will defer ruling on the request for oral hearing and direct the Applicant to file a list of all witnesses whose testimony he believes requires an oral hearing, and the substance of their anticipated testimony. That list should also be submitted within six weeks. Thereafter, the Respondent should file his response to the request for oral hearing within 15 days.

Conclusion

7. In view of the foregoing, it is ORDERED THAT:

- a. By **Wednesday, 4 September 2024**, the Applicant shall file:
 - i. A rejoinder to the Respondent's reply; and
 - ii. A list of all witnesses whose testimony he believes requires an oral hearing, and the substance of their anticipated testimony.
- b. The Respondent shall file his response to the Applicant's request for oral hearing by **Thursday, 19 September 2024**.

(Signed)

Judge Sean Wallace

Dated this 24th day of July 2024

Entered in the Register on this 24th day of July 2024

(Signed)

René M. Vargas M., Officer-in-Charge, Nairobi