



**Before:** Duty Judge  
**Registry:** Nairobi  
**Registrar:** René M. Vargas M., Officer-in-Charge

CHIMSORO

v.

SECRETARY-GENERAL  
OF THE UNITED NATIONS

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**ORDER ON THE RESPONDENT'S  
MOTION FOR LEAVE  
TO EXCEED PAGE LIMIT**

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**Counsel for Applicant:**

Ron Mponda

**Counsel for Respondent:**

Elizabeth Brown, UNHCR  
Louis Lapicerella, UNHCR

## **Introduction**

1. On 28 June 2024, the Applicant filed an application challenging his separation from service with compensation *in lieu* of notice and without termination indemnity.
2. The Respondent's reply is due on 1 August 2024.
3. On 30 July 2024, the Respondent filed his reply together with a motion seeking leave to exceed the 10-page limit for the reply on the grounds that the additional facts and analysis would assist the Tribunal to efficiently and effectively address the issues in this case.

## **Consideration**

4. Pursuant to paras. 6 and 19 of the Tribunal's Practice Direction No. 4, on filing of applications and replies, both the application and the reply should not exceed 10 pages, in font Times New Roman, font size 12, line spacing of 1.5 lines. The reason for such limitation is to ensure that the parties file succinct submissions to enable the Tribunal to expeditiously dispose of cases.
5. The Tribunal has reviewed the 23-page reply that the Respondent filed, which is more than twice the 10 pages permitted under Practice Direction 4, and does not find the motion to be well founded. For instance:
  - a. This case is not particularly complex. It is a sexual harassment case, basically involving a single incident. The application essentially challenges the sufficiency of the evidence. The reply should be more precise;
  - b. Instead, there are length recitations of irrelevant facts. As just one example, para. 2 of the reply recounts the Applicant's career with the Office of the United Nations High Commissioner for Refugees ("UNHCR") for the eight years prior to the relevant incident citing to Applicant's Annex 13. That is not in dispute and thus unnecessary to include in the reply;

c. Similarly, nearly a page (paras. 5-7) could be reduced to three sentences; and

d. The reply contains numerous and lengthy quotations from the annexes when mere summaries would suffice. These block quotations are in a smaller font than that specified by Practice Direction No. 4, para. 19. Had they been in the proper font, the reply would have been even longer.

### **Conclusion**

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

a. The Respondent's motion is partly granted;

b. The Respondent's reply shall not exceed 12 pages in font Times New Roman, font size 12, line spacing of 1.5 lines; and

c. The Respondent shall file a new reply by **Thursday, 15 August 2024**.

*(Signed)*

Judge Sean Wallace (Duty Judge)

Dated this 31<sup>st</sup> day of July 2024

Entered in the Register on this 31<sup>st</sup> day of July 2024

*(Signed)*

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