



Before: Judge Francesco Buffa
Registry: Nairobi
Registrar: René M. Vargas M., Officer-in-Charge

CASTELLI

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**ORDER
ON CASE MANAGEMENT**

Counsel for Applicant:

Manuel J. Ventura

Counsel for Respondent:

Nicole Wynn, AS/ALD/OHR, UN Secretariat
Charlene Ndirangu, AS/ALD/OHR, UN Secretariat

Introduction

1. The Applicant is a Policy and Best Practices Officer working with the United Nations Interim Force in Lebanon (“UNIFIL”). On 19 May 2024, he filed an application contesting:
 - a. The decision to not disclose to him the investigation report of the fact-finding panel convened to assess his complaint against the Principal Coordinator Officer, UNIFIL (“first contested decision”); and
 - b. The decision to close his complaint against the Principal Coordinator Officer, UNIFIL, based on the findings of the Panel’s investigation report (“second contested decision”).
2. In his reply, the Respondent contends that the application has no merit, and that the contested decisions were lawful, rational and procedurally correct under ST/SGB/2019/8 (Addressing discrimination, harassment, including sexual harassment, and abuse of authority), and ST/AI/2017/1 (Unsatisfactory conduct, investigations and the disciplinary process).
3. By Order No. 80 (NBI/2024), the Duty Judge instructed the Applicant to file a rejoinder and asked the parties to explore resolving the dispute amicably and revert to the Tribunal in this respect.
4. The Applicant filed his rejoinder on 24 July 2024.
5. In their joint response to Order No. 80 (NBI/2024), filed on 31 July 2024, the parties informed the Tribunal that they were unable to settle the dispute amicably in this case.
6. The case was assigned to undersigned Judge on 5 August 2024.

Consideration

7. The Tribunal has reviewed the parties' submissions and, having in mind art. 19 of its Rules of Procedure, takes the view that the relevant facts in the present case are clear, there is no need to conduct a hearing on the merits, and the matter can be determined on the basis of the documents on record.

8. Therefore, in the interest of a fair and expeditious disposal of the case, the parties are directed to file closing submissions, addressing the points raised in each other's filings.

Conclusion

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

a. By **5 p.m. (Nairobi time), on Friday 13 September 2024**, the parties shall file their respective closing submission, which shall exclusively refer to the evidence already on file; and

b. The closing submission shall not exceed 10 pages, in font Times New Roman, font size 12, line spacing of 1.5 lines.

(Signed)

Judge Francesco Buffa

Dated this 20th day of August 2024

Entered in the Register on this 20th day of August 2024

(Signed)

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