



Before: Judge Francesco Buffa

Registry: Nairobi

Registrar: Wanda Carter

BROWN

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

ORDER ON CASE MANAGEMENT

Counsel for Applicant:

George G. Irving

Counsel for Respondent:

Wei Zhuang, DAS/ALD/OHR, UN Secretariat
Sergei Gorbylev, DAS/ALD/OHR, UN Secretariat

Introduction

1. On 9 April 2024, the Applicant, a Security Officer at the United Nations Interim Security Force for Abyei, filed an application challenging a 16 January 2024 decision of the Under-Secretary-General for Management Strategy, Policy and Compliance to impose upon him the disciplinary measure of written censure and loss of two steps in grade.
2. On 13 May 2024, the Respondent filed his reply, contending that the contested decision was lawful.
3. On 5 August the case was assigned to the undersigned Judge.

Consideration

4. The Tribunal is aware that art. 16 of the Rules of Procedure provides that the judge hearing a case may hold oral hearings and that a hearing shall normally be held following an appeal against an administrative decision imposing a disciplinary measure. However, the Tribunal has reviewed the parties' submissions and, having in mind also art. 19 of the said rules, 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 based on the documents on record.
5. Therefore, in the interest of a fair and expeditious disposal of the case, the parties are directed to file their closing submissions, addressing the points raised in each other's filings.

Conclusion

6. The parties are invited to file closing submissions by 5 p.m. (Nairobi time), on or before Friday, 13 September 2024, the parties shall file their respective closing submission, which shall exclusively refer to the evidence already on file.
7. The closing submission shall not exceed 10 pages, in font Times New Roman, font size 12, line spacing of 1.5 lines.

Case No. UNDT/NBI/2024/023

Order No. 121 (NBI/2024)

8. The Registry is directed to incorporate into the case record the case files in Case No. UNDT/NBI/2023/010 and the subsequent Judgment in *Fulang* UNDT/2024/022. Also to form part of the case record is UNAT Judgment *Fulang*, 2023-UNAT-1403.

(Signed)

Judge Francesco Buffa

Dated this 3rd day of September 2024

Entered in the Register on this 3rd day of September 2024

(Signed)

Wanda Carter, Registrar, Nairobi