



Before: Judge Sean Wallace

Registry: Nairobi

Registrar: Wanda L. Carter

CHIMSORO

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

ORDER ON CASE MANAGEMENT

Counsel for Applicant:

Rodney Mkweza
Ron Mponda

Counsel for Respondent:

Elizabeth Brown, UNHCR
Louis Lapicerella, UNHCR

Introduction

1. On 7 November 2024 the Tribunal conducted a Case Management Discussion (“CMD”). The subjects discussed at the CMD were:

- a. The witnesses that will be called by the parties and the anticipated duration of their testimony;
- b. The relevant matters to which the witnesses’ testimony would be limited;
- c. The proposed hearing dates;
- d. The Respondent’s request for an *in camera* hearing;
- e. The Respondent’s request for protective measures for the complainant;
- f. The Respondent’s request for the complainant’s name to be anonymized in any issuances of the Tribunal; and
- g. The issue of brief opening remarks at the hearing.

2. In light of the above, IT IS ORDERED THAT:

3. The hearing in this case will take place on two days between 13 and 16 January 2025, as will be agreed between the parties after consultation with their witnesses. It will be held in person at the Dispute Tribunal courtroom in Nairobi, Kenya. The Applicant and his counsel will be present in the courtroom while the Respondent’s counsel and their witnesses will appear remotely.

4. The Applicant will call only himself as a witness, and the Respondent will call the five witnesses listed on their submission.

5. The witnesses’ testimony will be focused on the events of 27 January 2023. To give context to that occurrence, the testimony may also include providing a message on 26 January 2023, the interactions between the Applicant and the

complainant on 27-28 January 2023, and an allegedly similar event occurring in October 2023.

6. The parties may make brief opening statements describing the anticipated testimony. Closing arguments will be provided by written Closing Submissions to be filed within the time determined at the close of the hearing.

7. The Respondent shall file a motion addressing the issues listed at para. 1(d)-(f) above by **15 November 2024**.

8. The Applicant shall file a response to the motion by **2 December 2024**.

9. The parties shall consult regarding the order of witnesses and shall file an agreed schedule of witnesses by **2 December 2024**.

(Signed)

Judge Sean Wallace

Dated this 7th day of November 2024

Entered in the Register on this 7th day of November 2024

(Signed)

Wanda L. Carter, Registrar, Nairobi