



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NY/2021/014

Order No.: 49 (NY/2021)

Date: 18 May 2021

Original: English

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**Before:** Judge Joelle Adda

**Registry:** New York

**Registrar:** Nerea Suero Fontecha

GELSEI

v.

SECRETARY-GENERAL  
OF THE UNITED NATIONS

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**ORDER**

**ON CASE MANAGEMENT**

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**Counsel for Applicant:**

Evelyn W. Kamau, OSLA

**Counsel for Respondent:**

Elizabeth Brown, UNHCR

Francisco Navarro, UNHCR

## **Introduction**

1. The Applicant, a staff member of the United Nations High Commissioner for Refugees (“UNHCR”) in Budapest, Hungary, contests the Administration’s decision to impose the disciplinary measures of loss of three steps and deferment, for a period of four years, of eligibility for consideration for promotion, as well as a managerial action to provide him with training and coaching in matters related to professional conduct.

2. On 12 May 2021, pursuant to Order No. 33 (NY/2021), the Respondent filed the reply.

## **Consideration**

3. Having examined the application and the Respondent’s reply, the Tribunal is of the view that the matter can be determined on the papers before it, without holding a hearing.

4. However, the Tribunal is mindful of art. 16.2 of its Rules of Procedure which provides that a “hearing shall normally be held following an appeal against an administrative decision imposing a disciplinary measure”. The Tribunal will therefore allow the parties to present their views as to whether they object to the case being adjudicated on the papers to allow them the opportunity to provide detailed reasons if they consider that an oral hearing is necessary.

## **Conclusion**

5. In view of the foregoing, it is ORDERED that:

- a. By **4:00 p.m. on Wednesday, 26 May 2021**, the parties file their views, if any, concerning a judgment being rendered on the papers without an oral hearing providing detailed reasons if they think that an oral hearing is necessary; and

- b. Should both parties agree with a judgment being rendered on the papers, the Applicant shall file a response to the Respondent's reply by **4:00 p.m. on Friday, 4 June 2021**.
6. The Tribunal will thereafter adjudicate the case based on the papers before it.

*(Signed)*

Judge Joelle Adda

Dated this 18<sup>th</sup> day of May 2021