



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NY/2021/012
Order No.: 60 (NY/2021)
Date: 23 June 2021
Original: English

Before: Judge Joelle Adda
Registry: New York
Registrar: Nerea Suero Fontecha

DESBOIS

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

ORDER

ON CASE MANAGEMENT

Counsel for Applicant:

Julia Kyung Min Lee, OSLA

Counsel for Respondent:

Lucienne Pierre, ALD/OHR, UN Secretariat

Romy Batrouni, ALD/OHR, UN Secretariat

Introduction

1. At the Tribunal's direction, on 7 June 2021, the Respondent submitted additional evidence pertaining to the investigation into the allegations of misconduct by the Applicant.

2. On 21 June 2021, the Applicant, having reviewed the newly received documents, requested the disclosure of additional documents contained in the Office of Internal Oversight Service's list of evidence for the investigation. The Applicant argues that these documents were either produced by or discussed with the individuals interviewed during the investigation. As such, they are relevant to the determination of the case.

3. The Tribunal concurs with the Applicant that the requested documents are relevant to the facts in dispute and must be disclosed by the Respondent.

4. Once the Applicant has had the opportunity to review this additional evidence, she will be afforded an opportunity to request any additional testimonial evidence.

5. In light of the above,

IT IS ORDERED THAT:

6. The Applicant's request for disclosure of additional evidence is granted;

7. By **4:00 p.m. on Friday, 2 July 2021**, the Respondent shall submit the documents listed in para. 2 of the Applicant's 21 June 2021 submission.

8. By **4:00 p.m. on Wednesday, 21 July 2021**, the Applicant will inform the Tribunal whether she requests additional testimonial evidence by identifying the facts that each of said witness would testify to and summarizing each proposed testimony in

writing. The written witness statements may also be adopted as the examination-in-chief if the leading party should so wish.

9. The Tribunal will thereafter issue the relevant instructions on further case management.

(Signed)

Judge Joelle Adda

Dated this 23rd day of June 2021