



Before: Judge Margaret Tibulya

Registry: New York

Registrar: Isaac Endeley

AMMAR

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

ORDER
ON CASE MANAGEMENT

Counsel for Applicant:

Ron Mponda

Counsel for Respondent:

Elizabeth Brown, UNHCR
Louis Lapicerella, UNHCR

Introduction

1. The Applicant is a former staff member of the Office of the United Nations High Commissioner for Refugees (“UNHCR”). On 21 August 2023, he filed an application in which he contests the decision to separate him from service with compensation in lieu of notice, and with half termination indemnity pursuant to staff rule 10.2(a)(vii).

2. On 13 September 2023, the Respondent filed his reply stating that the application is without merit.

3. By Order No. 129 (NY/2023) of 16 November 2023, the Tribunal instructed the parties to file (a) consolidated lists of agreed and disputed facts and (b) separate submissions on whether they request additional evidence, written and/or oral, to be produced.

4. On 2 February 2024, the parties duly complied with Order No. 129 (NY/2023).

5. On 1 April 2024, the case was assigned to the undersigned Judge.

6. On 4 April 2024, a case management discussion (“CMD”) was held virtually via MS Teams to discuss the further proceedings.

Considerations

Hearing of the case

7. Having considered the parties’ written submissions as well as their oral representations made during the CMD, the Tribunal notes that the Applicant wishes to have a hearing while the Respondent submits that a hearing is not necessary.

8. Due to the importance of the remaining factual disputes between the parties and the conflicting views of their respective technical experts, the Tribunal has decided to conduct a hearing during the week of 15 – 19 July 2024. The parties will be given the opportunity to confirm their availability to participate in the hearing

during this period and to state which witnesses, if any, they intend to call. The Tribunal will also instruct the parties to explain to which disputed facts each proposed witness's testimony relates by making specific reference to the relevant paragraph(s) in the consolidated list of disputed facts.

9. The Tribunal further notes that following the CMD, the Applicant filed a motion for disclosure dated 9 April 2024 and the Respondent filed a response on 17 April 2024 providing the requested documents on an *ex parte* basis. The Tribunal will, in due course, make a determination on the disclosure of this filing to the Applicant.

10. In light of the above,

IT IS ORDERED THAT:

11. By **4:00 p.m. on Friday, 5 July 2024**, the parties are to confirm their availability to attend the hearing in the week of 15 – 19 July 2024 and to propose their respective lists of witnesses to be heard by the Tribunal, explaining to which disputed facts each proposed witness's testimony relates by making specific reference to the relevant paragraph(s) in the consolidated list of disputed facts.

12. Upon receipt of the above-referenced submissions, the Tribunal will issue relevant instructions for further case management.

(Signed)

Judge Margaret Tibulya

Dated this 26th day of June 2024

Entered in the Register on this 26th day of June 2024

(Signed)

Isaac Endeley, Registrar, New York