



Before: Judge Margaret Tibulya

Registry: Geneva

Registrar: René M. Vargas M.

IBRAGIMOV

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**ORDER
ON CASE MANAGEMENT**

Counsel for Applicant:

Jeffrey C. Dahl

Counsel for Respondent:

Esther Saabel, UNOG

Introduction

1. On 7 March 2023, the Applicant, a Drug Control Officer, United Nations Office on Drug Control (“UNODC”), United Nations Office at Vienna (“UNOV”), filed an application contesting the decision contained in an email dated 8 September 2022 between the Applicant and the Human Resources Management Services (“HRMS”), where the Organization informed the Applicant that the Education Grant (“EG”) and the Special Education Grant (“SEG”) are subject to the same single maximum limit and are not to be combined.
2. On 10 March 2023, the application was served on the Respondent who, on 5 April 2023, filed a motion to have receivability determined as a preliminary matter.
3. The Tribunal asked the Applicant to respond to the above motion, which he did on 17 April 2023.
4. By Order No. 46 (GVA/2023) of 3 May 2023, the Tribunal determined that the matter of receivability in this case is not a clear-cut issue and, therefore, did not warrant a determination as a preliminary matter. Accordingly, the Respondent’s motion was rejected, and he was instructed to file his reply on the merits.
5. On 9 May 2023, the Respondent filed his reply.
6. By notification dated 7 June 2023, the Tribunal invited the parties to attend a Case Management Discussion (“CMD”) on 14 June 2023, and instructed the Applicant to file his rejoinder, if any, by 14 June 2023 at noon Geneva time.
7. On 14 June 2023, the Applicant filed his rejoinder, and the parties attended a CMD, held virtually via Microsoft Teams.

Consideration

New application

8. At the CMD, the Applicant informed the Tribunal that he will file a new application on the merits against the latest decision from the Management Evaluation Unit, which might warrant adjudication in combination with the instant case.

9. As the Tribunal cannot decide on a possible consolidation of the two cases before the new application is put forth for examination, it will refrain from adjudicating the present matter prior to the filing of the new above-mentioned application.

Hearing on the merits

10. At the CMD, the Applicant manifested his desire to have a hearing on the merits, which the Respondent opposed.

11. Notwithstanding its position on the adjudication of the present matter (see para. 9 above) and having considered the parties' positions, the Tribunal is of the view that a hearing on the merits is warranted in this case, specifically to hear the testimony of the Applicant.

Tentative schedule

12. Both parties confirmed their availability to attend a hearing on Tuesday, 4 July 2023, and, based on this information, the tentative schedule of the hearing, which may be subject to change, is as follows:

Tuesday, 4 July 2023

10.00 a.m.	Parties' opening statements
10.30 a.m.	Applicant. Examination-in-Chief by the Counsel for the Applicant, and cross-examination by the Respondent's Counsel.
11.30 a.m.	Parties' closing statements

Conclusion

13. In view of the foregoing, it is ORDERED THAT:

- a. An oral hearing will be held on **Tuesday, 4 July 2023, at 10 a.m. Geneva time**, virtually via Microsoft Teams;
- b. The parties are notified of the tentative schedule of appearances at the hearing as per para. 12 above; and
- c. The parties are instructed to provide their contact details, including the Applicant's (email and phone number), no later than **Thursday, 22 June 2023**.

(Signed)

Judge Margaret Tibulya

Dated this 19th day of June 2023

Entered in the Register on this 19th day of June 2023

(Signed)

René M. Vargas M., Registrar, Geneva