



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NY/2022/015  
Order No.: 039 (NY/2024)  
Date: 3 April 2024  
Original: English

---

**Before:** Judge Joelle Adda

**Registry:** New York

**Registrar:** Isaac Endeley

HAMAM

v.

SECRETARY-GENERAL  
OF THE UNITED NATIONS

---

**ORDER  
ON CASE MANAGEMENT**

---

**Counsel for Applicant:**

Christopher Bollen

**Counsel for Respondent:**

Miryoung An, DAS/ALD/OHR/UN Secretariat

Wei Zhuang, DAS/ALD/OHR/UN Secretariat

## **Introduction**

1. On 6 May 2022, the Applicant, a former staff member of the Office of the Special Adviser on Africa (“OSAA”), filed an application contesting the decision to impose on him the disciplinary measure of separation from service with compensation in lieu of notice and without termination indemnity.

2. By Order No. 028 (NY/2024) dated 14 March 2024, the Tribunal instructed the parties that, *inter alia*, it will hold a one-day hearing in this case to hear the witness testimony of the Applicant and the USG. The Tribunal further instructed the parties to file a joint statement providing proposed hearing dates for a one-day hearing during the period from 1 - 10 May 2024 and confirm the availability of the witnesses.

3. On 28 March 2024, the parties filed their joint submission informing the Tribunal as follows:

[...]

2. The parties submit that the USG is available on 1 May, 2 May and 7-9 May 2024, and the Applicant is available on 9 and 10 May 2024.

3. The USG is in Namibia and will appear by electronic means. In light of the time difference, the Respondent respectfully requests that the USG’s testimony be scheduled in the morning, preferably starting at 9 am New York time.

4. The Applicant respectfully requests that, in line with standard practice, he be heard first and suggests that his interview be scheduled for 9 a.m. New York time.

## **Considerations**

4. The Tribunal notes that both parties have requested that their respective witnesses be heard at 9:00 a.m. (New York time) and only present one common day the witnesses can be available for a hearing.

5. Due to the availability constraints presented by the parties, the Tribunal has no choice but to schedule the hearing on 9 May 2024, starting at 9:00 a.m.

IT IS ORDERED THAT:

6. The Tribunal will hold a hearing in this case **on Thursday, 9 May 2024 starting at 9:00 a.m.** (New York time) to hear the testimony of the Applicant. The Tribunal will hear the Applicant for 1 hour. The Respondent will cross-examine him for 1 hour.

7. Thereafter, at **11:00 a.m.** (New York time) the Tribunal will hear the USG for 45 minutes. The Applicant will cross-examine the USG for 45 minutes.

8. The Tribunal will not hear oral closing statements at the end of the hearing. A scheduling order will be issued after the close of the hearing providing instructions for the submission of closing statements in writing.

9. In the event that either party intends to refer to any documents during their examination or cross-examination they shall submit a paginated bundle of these documents by **4:00 p.m. on Thursday, 2 May 2024.**

10. All practical arrangements for the organization of the hearing will be coordinated through the New York Registry of the Dispute Tribunal.

*(Signed)*

Judge Joelle Adda

Dated this 3<sup>rd</sup> day of April 2024

Entered in the Register on this 3<sup>rd</sup> day of April 2024

*(Signed)*

Isaac Endeley, Registrar, New York