



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NY/2023/029
Order No.: 045 (NY/2024) Corr.1
Date: 11 April 2024
Original: English

Before: Judge Margaret Tibulya

Registry: New York

Registrar: Isaac Endeley

HANNINA

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**ORDER
ON CASE MANAGEMENT**

Counsel for Applicant:

Manuel Calzada, MC Legal LLC

Counsel for Respondent:

Halil Göksan, AS/ALD/OHR, UN Secretariat

Note: This order has been corrected.

Introduction

1. On 2 September 2023, the Applicant, Chief of Mission Support, United Nations Support Mission in Libya (“UNSMIL”), (at the D-1 level), filed an application contesting the decision of the Special Representative of the Secretary-General for Libya and Head of Mission, UNSMIL (“SRSG”) to place her on administrative leave with pay (“ALWP”), dated 19 April 2023.

2. On 5 October 2023, the Respondent filed his reply contending that the application is meritless. The Respondent submitted that the SRSG’s decision to place the Applicant on ALWP was lawful, reasonable and proportionate.

3. On 27 November 2023, the Tribunal issued Order No. 133 (NY/2023) requesting *inter alia* the parties to file further submissions.

4. Pursuant to Order No. 133 (NY/2023), on 21 December 2023, the Respondent confirmed that the allegations made by Mr. KJS are the sole allegations made against the Applicant.

5. Pursuant to Order No. 133 (NY/2023), on 10 January 2024, the Applicant filed a rejoinder to the Respondent’s reply and the Respondent’s further submission.

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

7. On 9 April 2024, a case management discussion (“CMD”) was held remotely via MS Teams to discuss the case.

Consideration

8. Pursuant to art. 19 of the Rules of Procedure of the Dispute Tribunal, the Tribunal may at any time issue an order or give any direction which appears to be appropriate for the fair and expeditious disposal of a case and to do justice to the parties.

9. At the CMD, the parties requested to make further submissions on the need for an oral hearing in this matter and any witness evidence to be adduced. The Judge provided the parties with an opportunity to resolve the case informally. The parties agreed to discuss the possibility of informal resolution of the dispute.

IT IS ORDERED THAT:

10. The Applicant and Counsel for the Respondent are to discuss the possibility of resolving the matters of the present case informally.

11. By **Thursday, 18 April 2024, at 4:00 p.m.**, the parties shall file a jointly-signed statement informing the Tribunal of the outcome of their informal resolution discussions.

12. If the parties' informal resolution discussions are not successful, by **Thursday, 25 April 2024, at 4:00 p.m.**, the Applicant is to submit whether she requests an oral hearing in this matter and to call witnesses, and if so, state the identity of the witness(es) she wishes to call, if any, and what disputed fact(s) each of these witnesses is to give testimony about. The submission is to be at a maximum length of 5 pages, using font Times New Roman, font size 12 and 1.5 line spacing.

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13. By **Thursday, 2 May 2024, at 4:00 p.m.**, the Respondent may respond to the Applicant's submission dated 25 April 2024. The submission is to be at a maximum length of 5 pages, using font Times New Roman, font size 12 and 1.5 line spacing.

(Signed)

Judge Margaret Tibulya

Dated this 11th day of April 2024

Entered in the Register on this 11th day of April 2024

(Signed)

Isaac Endeley, Registrar, New York