



Before: Judge Teresa Bravo

Registry: Geneva

Registrar: René M. Vargas M.

APPLICANT

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**ORDER
ON CASE MANAGEMENT**

Counsel for Applicant:

Steven W. S. Kayuni

Counsel for Respondent:

Alister Cumming, UNICEF

Introduction

1. By application filed on 13 May 2021, the Applicant, a former staff member of the United Nations Children’s Fund (“UNICEF”) contests the decision to separate him from service, with compensation in lieu of notice and with termination indemnity.
2. The Respondent filed his reply on 17 June 2021.
3. On 16 September 2021, the Applicant filed his observations on the Respondent’s reply.
4. On 20 September 2021, the Respondent filed a motion to strike the Applicant’s observations arguing that he did not request leave to submit any additional submission, nor did the Tribunal grant him leave in this regard.
5. On 23 June 2022, the Tribunal held a case management discussion (“CMD”) *in camera* with the participation of Counsel for the Applicant and Counsel for the Respondent.

Consideration

6. Having examined the case record, at the CMD the Tribunal requested the parties’ views on whether a hearing should be held. Both parties agreed that the case record is complete and there is no need for a hearing. Consequently, the Tribunal decided to adjudicate the case based on the parties’ written submissions.
7. The Tribunal also addressed the Applicant’s observations and the Respondent’s pending motion. Having examined both submissions and heard the parties’ views in this respect, it decided to accept the Applicant’s observations and grant the Respondent leave to file his comments thereon along with his closing submission.

8. During the CMD, the Respondent requested the Tribunal to consider anonymizing the victims' identity in its judgment. Aware of the importance to protect the victims and witnesses, especially in cases involving sexual harassment claims, the Tribunal grants the Respondent's motion and decides *ex officio* to also anonymize the Applicant's name to avoid any possible identification of the victims and witnesses.

Conclusion

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

- a. By **Monday, 11 July 2022**, the Applicant shall file his closing submission; and
- b. By **Thursday, 21 July 2022**, the Respondent shall file his closing submission, which shall include his comments, if any, on the Applicant's 16 September 2021 observations.

(Signed)

Judge Teresa Bravo

Dated this 1st day of July 2022

Entered in the Register on this 1st day of July 2022

(Signed)

René M. Vargas M., Registrar, Geneva