



Before: Judge Eleanor Donaldson-Honeywell
Registry: Geneva
Registrar: René M. Vargas M.

APPLICANT

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**ORDER ON CASE MANAGEMENT
AND NOTICE OF
CASE MANAGEMENT DISCUSSION**

Counsel for Applicant:

George G. Irving

Counsel for Respondent:

Alistair Cumming, UNICEF

Introduction

1. The Applicant served on a permanent appointment as a Senior Adviser at the United Nations Children's Fund ("UNICEF").
2. On 28 December 2018, the Respondent informed the Applicant that he was being separated from service that day for abuse of authority, harassment and sexual harassment.
3. On 20 February 2019, the Applicant filed an application before the United Nations Dispute Tribunal to challenge the Respondent's decision to dismiss him.
4. The Respondent filed his Reply on 25 March 2019. The Respondent argues that there is clear and convincing evidence of the Applicant's misconduct and that the sanction imposed on him was proportionate.

Considerations and Order

5. The Tribunal has reviewed the parties' submissions to date and considers that a case management discussion ("CMD") would facilitate fair, efficient and expeditious management and disposal of this case. Given the nature of the allegations at issue, the Tribunal finds it necessary to order that the Applicant and complainants are anonymized and to hold the CMD *in camera*. The Tribunal reserves its decision concerning the modalities for a hearing on the merits, if any.
6. A CMD will take place on **Wednesday, 17 February 2021 at 12 p.m. (Geneva time)** using Microsoft Teams. At the CMD, the Tribunal and the parties will:
 - a. Ascertain whether the parties are amenable to considering an alternative resolution to the dispute;
 - b. Identify the factual and legal issues to be determined;
 - c. Consider what further information, if any, is required;
 - d. Identify any documents to be disclosed;

e. In the event that an oral hearing is deemed necessary, to set the dates, identify the witnesses to be called and the documents to be presented; and

f. Discuss any other matter relevant to these proceedings.

7. As the CMD is being held virtually with all parties appearing from their respective locations, the parties are requested to confirm to the Geneva Registry their contact details by **Wednesday, 10 February 2021 (COB Geneva time)**.

(Signed)

Judge Eleanor Donaldson-Honeywell

Dated this 4th day of February 2021

Entered in the Register on this 4th day of February 2021

(Signed)

René M. Vargas M., Registrar, Geneva