



**Before:** Judge Eleanor Donaldson-Honeywell

**Registry:** Geneva

**Registrar:** René M. Vargas M.

REHMAN

v.

SECRETARY-GENERAL  
OF THE UNITED NATIONS

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**ORDER  
ON CASE MANAGEMENT**

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**Counsel for Applicant:**

Self-represented

**Counsel for Respondent:**

Kevin Browning, UNICEF

Esther Uwazie, UNICEF

## **Introduction**

1. The Applicant served on a fixed term appointment, as a Programme Assistant in the Education Section at the United Nations Children’s Fund (“UNICEF”) Country Office in Islamabad.
2. The Applicant was separated from service on 31 December 2015, which decision she challenged. Judgments *Rehman* UNDT/2018/031 and *Rehman* UNDT/2018/039 were rendered in favour of the Applicant.
3. On 5 February 2019, the Applicant filed an application before the United Nations Dispute Tribunal to challenge the Respondent’s actions in implementing the Tribunal’s findings in the above-mentioned Judgments.
4. The Respondent filed his Reply on 7 March 2019. He challenges the receivability of the application. On the substance of the application, the Respondent contends that his actions were lawful, and moves the Tribunal to dismiss the matter, with cost, as frivolous, vexatious and an abuse of process.
5. On 1 February 2021, the Tribunal issued Order No. 12 (GVA/2021) setting this matter down for a case management discussion (“CMD”).
6. The CMD took place, as scheduled, on 9 February 2021. The Applicant was present in person, self-represented. Counsel attended on behalf of the Respondent.

## **The Discussion**

7. The two principal issues for determination in this dispute can be summarised as follows:
  - a. Has the Respondent complied with *Rehman* UNDT/2018/039, which ordered that a thorough, proper, comprehensive and reasoned investigation be conducted into the Applicant’s allegations; and
  - b. Whether the Applicant is entitled to the disclosure she seeks of the investigation reports that were issued subsequent to that Judgment.

8. The Tribunal's findings on these questions will determine whether the Applicant's claims for compensation are warranted and have been substantiated.

9. The Tribunal advised the parties to consider their positions in respect of alternative dispute resolution to this matter but acknowledged that engaging in settlement discussions without the benefit of counsel for the Applicant may prove difficult.

10. The Tribunal noted that while the Applicant has made a claim for compensation, she has not submitted any evidence of harm.

### **Considerations and Order**

11. Having heard the parties on the issues raised, the Tribunal makes the following **ORDERS**:

- a. The Respondent will make *ex parte* disclosure of the two investigation reports at issue, the list of witnesses interviewed by the investigators and transcripts of these interviews, by **Friday, 12 February 2021**;
- b. The Respondent will disclose the regulatory framework governing the conduct of investigations into harassment and abuse of authority, specifically CF/Ext/2012/007, by **Friday, 12 February 2021**;
- c. The Applicant is permitted to make any submissions she may have in response to, and based on, the regulatory framework disclosed by the Respondent by **Monday, 22 February 2021**; and
- d. The Applicant will file documentation to back up her claims for compensation, showing what harm she has suffered as a result of the Respondent's actions, by **Monday, 22 February 2021**.

(Signed)

Judge Eleanor Donaldson-Honeywell

Dated this 10<sup>th</sup> day of February 2021

Case No. UNDT/GVA/2019/007

Order No. 34 (GVA/2021)

Entered in the Register on this 10<sup>th</sup> day of February 2021

*(Signed)*

René M. Vargas M., Registrar, Geneva