



Before: Judge Eleanor Donaldson-Honeywell

Registry: Geneva

Registrar: René M. Vargas M.

ISAKSSON

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**ORDER
ON CASE MANAGEMENT**

Counsel for Applicant:

Robbie Leighton, OSLA

Counsel for Respondent:

Rosangela Adamo, AAS/ALD/OHR, UN Secretariat

Nicole Wynn, AAS/ALD/OHR, UN Secretariat

Introduction

1. The Applicant serves on a continuing appointment at the United Nations Interim Administration Mission in Kosovo (“UNMIK”), as a Security Officer.
2. On 18 February 2019, he filed an application before the United Nations Dispute Tribunal. On 26 February 2019, the Respondent moved the court to strike out the application.
3. On 4 March 2019, the Tribunal issued Order No. 13 (GVA/2019) directing the Applicant to file an amended application.
4. On 18 March 2019, the Applicant filed an amended application. The Applicant seeks to challenge the conduct and findings of the investigation, under the provisions of ST/SGB/2008/5 (Prohibition of discrimination, harassment, including sexual harassment, and abuse of authority), and the managerial measures imposed on him as a result of those findings.
5. The Respondent filed his reply on 17 April 2019. It is the Respondent’s case that the impugned decision is legal, reasonable and procedurally fair, and that the managerial measures imposed were rational and proportionate.
6. On 2 February 2021, the Tribunal issued Order No. 16 (GVA/2021) setting this matter down for a case management discussion (“CMD”).
7. The CMD took place, as scheduled, on 10 February 2021. The Applicant was present and represented by Counsel, as was Counsel acting on behalf of the Respondent.
8. On 11 February 2021, the Tribunal issued Order No. 34 (GVA/2021) to record the salient aspects of the CMD. Among other matters, the Tribunal encouraged the parties to engage in settlement discussions with a view to having this matter resolved *inter partes*.

9. On 26 February 2021, the parties jointly moved for suspension of proceedings in this matter on grounds that more time was necessary to properly conclude the settlement discussions which had begun. The Tribunal granted the motion in Order No. 61 (GVA/2021) and suspended proceedings until 1 April 2021.

10. On 1 April 2021, the parties jointly moved the Tribunal for a 30-day extension on the above deadline to enable them to complete the ongoing settlement discussions.

11. On 6 April 2021, the Tribunal issued Order No. 75 (GVA/2021) granting the motion but for less time than the parties had requested.

12. On 23 April 2021, the parties jointly informed the Tribunal that settlement discussions did not result in an agreement and that litigation should therefore proceed.

Considerations and Order

13. The Tribunal makes the following **ORDERS**:

- a. The suspension of proceedings is **hereby lifted**;
- b. The Respondent will file an unredacted version of the investigation report at issue on an under seal basis by **Monday, 3 May 2021**;
- c. The unredacted report will be shared with the Applicant also on an under seal basis. The Applicant shall not disclose, use, show, convey, disseminate, copy, reproduce or in any way communicate the report shared with him—except for the filing of an appeal with the United Nations Appeals Tribunal—without prior authorization by the Tribunal; and
- d. The Applicant will file his closing submission by **Friday, 28 May 2021**.

Case No. UNDT/GVA/2019/008

Order No. 81 (GVA/2021)

14. Thereafter, the Tribunal will determine the case on the papers before it.

(Signed)

Judge Eleanor Donaldson-Honeywell

Dated this 29th day of April 2021

Entered in the Register on this 29th day of April 2021

(Signed)

René M. Vargas M., Registrar, Geneva