



**Before:** Judge Sun Xiangzhuang

**Registry:** Geneva

**Registrar:** René M. Vargas M.

RAVAN

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:**

Isavella Maria Vasilogiorgi, DAS/ALD/OHR, UN Secretariat

## **Introduction**

1. On 24 September 2019, the Office of Internal Oversight Services (“OIOS”) received a complaint of sexual harassment implicating the Applicant, who, at the time of the events, served as a Scientific Affairs Officer at the United Nations Office for Outer Space Affairs (“OOSA”) in Vienna.
2. An investigation was launched by OIOS, and the Applicant was interviewed on 6 March 2020.
3. On 23 June 2020, the Director of OIOS referred the Applicant’s case to the Office of Human Resources (“OHR”) for appropriate action based on the findings of the investigation report that the Applicant had engaged in unwelcome sexual behaviour towards V01, an intern with OOSA under his supervision, from 15 July 2019 to 18 October 2019.
4. By memorandum dated 9 December 2021, the Applicant was charged with formal allegations of misconduct (the “charge letter”), and requested to respond to these allegations, which he did on 21 January 2022.
5. By letter dated 4 November 2022 (the “sanction letter”), the Under-Secretary-General for Management Strategy, Policy and Compliance (“USG/DMSPC”) concluded that it was established by clear and convincing evidence that the Applicant had engaged in serious misconduct. As a result, the USG/DMSPC decided to impose on him the disciplinary measure of separation from service with compensation in lieu of notice and with termination indemnity, in accordance with staff rule 10.2(a)(viii).
6. On 10 November 2022, the Applicant filed the instant application.
7. On 9 December 2022, the Respondent filed his reply on the merits requesting the Tribunal to determine receivability as a preliminary matter and to dismiss the application on receivability grounds.

8. By email dated 17 July 2023, the Tribunal invited the parties to attend a Case Management Discussion (“CMD”) on 2 August 2023, held virtually using Microsoft Teams.

### **Consideration**

#### *Receivability*

9. During the CMD, the Respondent reiterated the issue of receivability raised in his reply, and requested the Tribunal to address it as a preliminary matter.

10. Specifically, the Respondent argued that the application is not receivable because the remedies requested by the Applicant have either already been given to him, i.e., compensation in lieu of notice, or cannot be granted at all, i.e., a “proper” notice period.

11. Bearing in mind that the Applicant is self-represented, and for the fair disposition of the case, the Tribunal considers necessary to have the Applicant respond to the issues of receivability before it can make its determination.

12. Accordingly, the Applicant is hereby instructed to provide written submissions responding to the issue of receivability brought forth by the Respondent in his reply, and clarifying the remedies that he seeks.

#### *Hearing on the merits*

13. The Tribunal will decide whether the application is receivable in due course.

14. Notwithstanding the above, and without prejudice to its determination on receivability, the Tribunal also instructs the parties to identify whether an oral hearing is needed and, if so, to provide a list of potential witnesses, explaining the relevance of each testimony for the determination of the issues in dispute.

15. In addition, the Applicant is instructed to clarify in his submission which facts, as established by the investigation, are disputed by him, and how a hearing on the merits would assist in their determination.

16. In the interest of the principle of equality of arms, the Respondent shall be granted an opportunity to comment on the Applicant's submission.

**Conclusion**

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

a. The Applicant shall file written submissions pursuant to paras. 12, 14 and 15 above by **Monday, 14 August 2023**;

b. The Respondent shall file his written submission pursuant to paras. 14 and 16 above by **Thursday, 24 August 2023**.

*(Signed)*

Judge Sun Xiangzhuang

Dated this 3<sup>rd</sup> day of August 2023

Entered in the Register on this 3<sup>rd</sup> day of August 2023

*(Signed)*

René M. Vargas M., Registrar, Geneva