



Before: Judge Agnieszka Klonowiecka-Milart

Registry: Nairobi

Registrar: Abena Kwakye-Berko

RIECAN

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**ORDER ON SOLICITING
INFORMATION ON OIOS CASE NO.
1065/21**

Counsel for the Applicant:
Self-represented

Counsel for the Respondent:
Nicole Wynn, AS/ALD/OHR, UN Secretariat
Maureen Munyolo, AS/ALD/OHR, UN Secretariat

Introduction

1. The United Nations Dispute Tribunal is hearing Case No. UNDT/NBI/2022/026 filed by Mr. Juraj Riecan where it is alleged that the impugned decision was motivated by harassment and retaliation. In connection with this case, the Tribunal has been informed of an investigation request filed 26 September 2021 by Mr. Riecan and recorded as OIOS Case No. 1065/21 by the Office of Internal Oversight Services (“OIOS”).

2. Given the overlapping factual issues, the material and outcome of the investigation in Case No. 1065/21 is relevant for the case before the Tribunal. Recalling that “the UNDT is not clothed with jurisdiction to investigate harassment complaints under Article 2 of the UNDT Statute” (*Messinger* 2011-UNAT-123), it would assist the Tribunal to have access to the investigation report.

ORDER

3. The Director, Investigations Division, OIOS, is directed to provide information whether the OIOS envisages completing case Case No. 1065/21 in any foreseeable period.

4. The requested information is to be furnished not later than **5 June 2023**.

(Signed)

Judge Agnieszka Klonowiecka-Milart

Dated this 29th day of May 2023

Entered in the Register on this 29th day of May 2023

(Signed)

Abena Kwakye-Berko, Registrar, Nairobi