



Before: Judge Sean Wallace
Registry: Nairobi
Registrar: René M. Vargas M., Officer-in-Charge

BHAM

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

ORDER ON CASE MANAGEMENT

Counsel for the Applicant:

Manuel Calzada, MC LEGAL FZ LLC

Counsel for the Respondent:

Jacob van de Velden, DAS/ALD/OHR

Maria Romanova, DAS/ALD/OHR

Introduction

1. The Applicant filed an application on 23 March 2023 contesting the decision to impose on him the disciplinary measure of dismissal, in accordance with staff rule 10.2(a)(ix).

2. The Respondent filed a reply on 27 April 2023 requesting the Tribunal to reject the application. The Respondent bases his request on the fact that there is clear and convincing evidence of the Applicant's sexual harassment and harassment of no less than five victims (V01, V02, V03, V04 and V05) and his attempted abuse of authority in respect of V01. The Respondent further contends that the established facts amount to misconduct, the imposed sanction was proportionate to the misconduct and the Applicant has been afforded due process.

3. In view of the parties' submissions, the Tribunal has decided to hold a case management discussion ("CMD"). The purpose of the CMD is to:

- a. Discuss and identify the claims and issues in the case;
- b. Order, as appropriate, the arrangements for a hearing on the merits of the case, including the identification of relevant witnesses, and documentary evidence; and
- c. Generally deal with any other matter(s) relating to the consideration and determination of this case.

ORDERS

4. A CMD in this case will take place on **24 October 2023 at 10 a.m.** (Nairobi Time, UTC +3) via Microsoft Teams. The CMD will not be open to the public.

5. The parties or their duly designated representatives must attend the CMD. The Registry will provide a link to access the meeting.
6. At the CMD, the parties shall be prepared to present a list of their witnesses and confirm their availability for a hearing.

(Signed)

Judge Sean Wallace

Dated this 20th day of October 2023

Entered in the Register on this 20th day of October 2023

(Signed)

René M. Vargas M., Officer-in-Charge