



Before: Judge Sean Wallace
Registry: Nairobi
Registrar: Wanda L. Carter

ATR

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**ORDER ON THE RESPONDENT'S
MOTION TO REFER TO JUDGMENT
NO. UNDT/2024/080 AND THE
APPLICANT'S MOTION FOR
ANONYMITY**

Counsel for Applicant:

Ludovica Moro

Counsel for Respondent:

Jerome Blanchard, UNOG

Introduction

1. At the time of the application, the Applicant served on a fixed-term appointment at the Office of the United Nations High Commissioner for Refugees (“UNHCR”) in Nairobi, Kenya.

Procedural History

2. On 15 October 2023, the Applicant filed an application with the United Nations Dispute Tribunal (“UNDT”) sitting in Nairobi to challenge the actions of the Respondent in respect of a disciplinary process that found her to be a victim of sexual harassment. The outcome of the process was communicated to the Applicant in a letter dated 18 April 2023. The Applicant submits that

[t]he letter does not provide any remedy to her as a victim of established harassment, notwithstanding the well documented damages to her health, it does not specify the measure imposed on the offender, and therefore it does not reassure her and other victims that they will not come across their harasser in their career within the UN system.

3. In response to Order No. 134 (NBI/2024), the Applicant moved the Tribunal to anonymise her particulars from issuances in these proceedings.

4. On 7 November 2024, the parties sought leave to refer to Judgment No. UNDT/2024/080 (*Sophocleous*) in their closing submissions.

Consideration

5. With regard to the Applicant’s request for anonymity, the Tribunal notes that the Respondent does not object to the request and that the Tribunal generally does not identify the victims of sexual harassment by name. Thus, the request shall be granted.

6. Regarding *Sophocleous* UNDT/2024/080, the Tribunal agrees with the parties that it is relevant to the present case and thus that the parties may refer to it in their closing submissions.

ORDERS

7. Having considered the motions by both parties, the Tribunal makes the following ORDERS:

- a. The Applicant's motion for anonymity is hereby GRANTED;
- b. The Applicant will be referred to as ATR in these proceedings;
- c. The motion to refer to the judgment in *Sophocleous* UNDT/2024/080 is GRANTED.

(Signed)

Judge Sean Wallace

Dated this 8th day of November 2024

Entered in the Register on this 8th day of November 2024

(Signed)

Wanda L. Carter, Registrar, Nairobi