



UNITED NATIONS APPEALS TRIBUNAL TRIBUNAL D'APPEL DES NATIONS UNIES

Case Nos. 2018-1142, 2018-1145 & 2018-1153

Harris

(Appellant/Respondent)

v.

Secretary-General of the United Nations

(Respondent/Appellant)

Order No. 325 (2018)

1. On 15 December 2017, the United Nations Dispute Tribunal (UNDT) in Geneva issued Judgment No. UNDT/2017/094/Corr.1 and Judgment No. UNDT/2017/095/Corr.1 in the cases of Harris v. Secretary-General of the United Nations .

2. On 16 January 2018, Mr. Bryan Galakpai Harris filed an appeal of Judgment No. UNDT/2017/094/Corr.1 to the United Nations Appeals Tribunal (Appeals Tribunal) (Case No. 2018-1142), and the Secretary-General filed an answer on 26 March 2018. On 13 February 2018, the Secretary-General appealed the same UNDT Judgment (Case No. 2018-1153). The appeals were consolidated by Order No. 315 (2018) dated 16 April 2018. On 23 January 2018, Mr. Harris filed an appeal of Judgment No. UNDT/2017/095/Corr.1 (Case No. 2018-1145) to which the Secretary-General filed an answer on 26 March 2018. The appeals have originally been set down for hearing in the 2018 Summer Session of the Appeals Tribunal commencing on 18 June 2018 in New York.

3. On 11 April 2018, Mr. Harris filed three motions requesting leave to gather and submit additional evidence and asking for an additional six-month period to seek legal representation. In his motions, Mr. Harris referred to counsel for the Respondent by name. One of these motions also contained the following statement:

To [name of counsel for the Secretary-General], and the entire respondent's team, I am humbled by your advanced legal knowledge [names of universities attended by counsel for the Secretary-General], will like to publicly state, as an Information

in the 11 April 2018 motions is information not readily available on the internet and states that it is unclear how Mr. Harris gathered this information. In light of the aforesaid, the Secretary-General requests the Appeals Tribunal to instruct Mr. Harris to refrain from all communications with counsel for the Respondent other than by way of submissions to the court.

6. On 7 June 2018—the last day of the time limit he was given to file a response to the motion—Mr. Harris filed submissions stating that he was “concerned about the allegation” and “appeal[ing] for more time to fully investigate the issue raised” in the motion. He attached several documents to his submission, including a medical certificate which he requested to be filed under seal.

7. According to Article 4(1) of the Code of conduct for legal representatives and litigants in person (before the UNDT and the Appeals Tribunal),² “[l]egal representatives and litigants in person shall maintain the highest standards of integrity and shall at all times act

IT IS HEREBY ORDERED , in accordance with Article 9 of the Code of conduct for legal representatives and litigants in person, that Mr. Harris is instructed to refrain from all outside communications with counsel for the Respondent other than by way of submissions to the Appeals Tribunal in the proceedings in Case Nos. 2018-1142, 2018-1145 and 2018-1153.

Original and Authoritative Version: English

Dated this 12th day of June 2018 in Athens, Greece.

(Signed)
Judge Dimitrios Raikos,
Duty Judge

Entered in the Register on this 12th day of June 2018 in New York, United States.

(Signed)
Weicheng Lin, Registrar