
UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NY/2021/046/T
Order No.: 005 (NY/2022)
Date: 11 January 2022
Original: English

Before: Judge Joelle Adda
Registry: New York
Registrar: Nerea Suero Fontecha

SAINT-LOT

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

ORDER
ON CASE MANAGEMENT

Counsel for Applicant:

Jorge Diaz-Cueto

Counsel for Respondent:

Matthias Schuster, UNICEF

Alister Cumming, UNICEF

6. Finally, the Respondent requests that MB be referred to as V01 in the public judgment to avoid any chance of identification.

7. The Respondent argues that the requested measures are required to address the witness' concerns, as victim of sexual harassment, regarding the possibility of being required to interact with the Applicant and in order to protect her privacy.

8. The Tribunal agrees that the measures requested would alleviate the witness' concerns with respect to recounting the events in dispute in court.

9. At the same time, the Applicant will retain his right to follow the proceedings, to see and hear the witness' testimony and to confront the evidence presented against him through his Counsel. Accordingly, the Tribunal is satisfied that requested protective measures are respectful of the Applicant's due process rights.

10. In light of the above,

IT IS ORDERED THAT:

11. The Respondent's motion is granted;

12. The Tribunal will hold a one-day hearing on **Wednesday, 26 January 2022 from 09:00 to 11:30 a.m. (New York time)** to hear the testimony of witness MB;

13. The hearing will be conducted *in camera* (meaning without access of the public);

14. Witness MB will be referred to as V01 in the upcoming public judgment in the present case;

15. The Applicant's camera will remain turned off and his microphone muted for the entirety of the witness' appearance;

16. The witness' cross-examination will be conducted exclusively by the Applicant's Counsel;

17. The Head of Legal, UNICEF United Kingdom is permitted to attend the hearing during the witness testimony but will refrain from participating in the hearing or interact with the witness during her testimony. Her microphone will remain muted throughout her attendance;

18. All practical details concerning the organization of the hearing will be coordinated by the New York Registry.

(Signed)

Judge Joelle Adda

Dated this 11th day of January 2022