
UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NY/2022/049
Order No.: 019 (NY/2024)
Date: 16 February 2024
Original: English

Before: Judge Joelle Adda

Registry: New York

Registrar: Isaac Endeley

NAVAS CASTILLO

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

ORDER
ON CASE MANAGEMENT

Counsel for Applicant:

Self-represented

Counsel for Respondent:

Isavella Maria Vasilogeorgi, DAS/ALD/OHR, UN Secretariat

Introduction

1. By Order No. 102 (NY/2023) dated 10 October 2023, the Tribunal ordered, by 16 October 2023:

a. Each of the parties to confirm whether the Tribunal may proceed with reviewing the present case on the basis of the English translation of the investigation report appended as Annex 2 to the reply.

b. The Applicant to submit whether he requested a hearing to be held, and if so, indicate the purported purpose of such hearing. If the Applicant wished to hear any witnesses, he was to state (a) the identity of the witness(es) and (b) what disputed fact(s) each of these witnesses is requested to give testimony about. If the Applicant did not wish a hearing to be held, the Tribunal would proceed to close the proceedings as soon as the issue of translation of the investigation report was resolved.

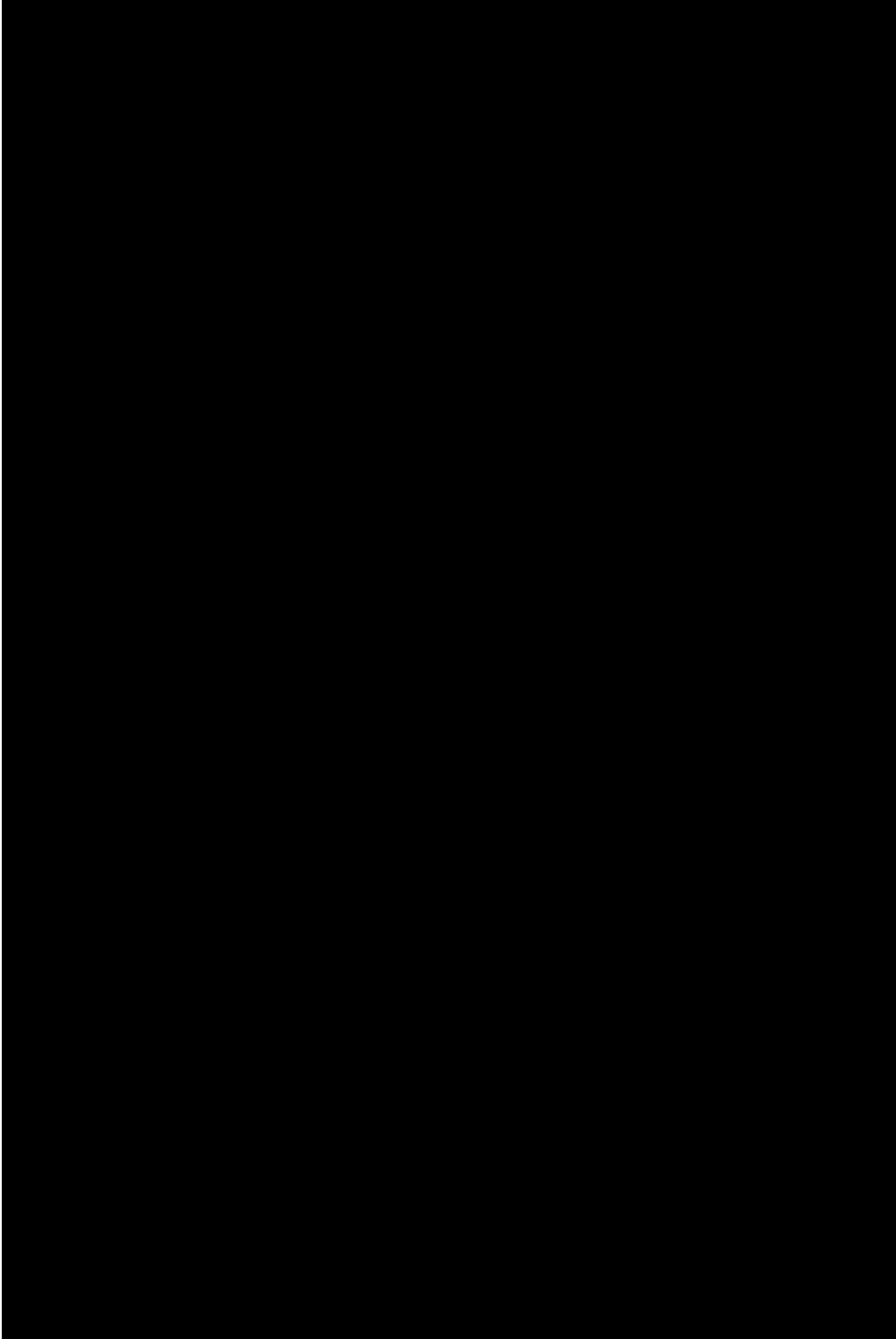
2. On 16 October 2023, the Applicant filed his submissions in response to Order No. 102 (NY/2023) in which he: (a) requested an official translation of the investigation report instead of the unofficial version appended as Annex 2 to the reply, and (b) requested a hearing to be held and the following witnesses be heard: JF, MA and P (names redacted for privacy reasons).

3. On 16 October 2023, the Respondent filed his submission as per Order No. 102 (NY/2023) in which he argued that (a) the English translation of the investigation report already on file should be used for adjudication of the case and that the Applicant had not shown any error in it, and (b) if a hearing were to be held, BP and SL (names redacted for privacy reasons) should be heard as witnesses.

4. On 16 October 2023, the Tribun

b. PS to clarify the fact that [the Applicant] was on Sick Leave since February 2022, nevertheless, respondent [did] not respect and care about the fact that [he] was suffering and being treated of Mental Health issues as depression and anxiety derivated [*sic.*] of such situation and final solution was given during applicant's sick leave period

c. MA to clarify that [the Applicant] was not aware of behavior and that [he has] shared accommodation with other females that does not implicates that [he] was having precisely a romantic relationship



16. In light of the above,

IT IS ORDERED THAT:

17. By **4:00 p.m. on Friday, 23 February 2024**, the Applicant is to file a submission concerning:

- a. What disputed fact(s) each of his proposed witnesses (JA, PS and MA) are to testify about;
- b. In case the Respondent does not want to call BP and/or SL as witnesses but solely refer to their interview statements to the investigation as per _____, whether he still wants to cross-examine ~~BP and/or SL~~ ~~BP and/or SL~~;
- c. Whether he wants

19. By **4:00 p.m. on Wednesday, 28 February 2024**, each party is to provide his comments, if any, to 23 February 2024 filing.

(Signed)

Judge Joelle Adda

Dated this 16th day of February 2024

Entered in the Register on this 16th day of February 2024

(Signed)

Isaac Endeley, Registrar, New York