



UNITED NATIONS DISPUTE TRIBUNAL

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Case No.: UNDT/NY/2015/035  
UNDT/NY/2015/062  
Order No.: 232 (NY/2016)  
Date: 4 October 2016  
Original: English

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**Before:** Judge Alexander W. Hunter, Jr.

**Registry:** New York

**Registrar:** Hafida Lahiouel

AUDA

v.

SECRETARY-GENERAL  
OF THE UNITED NATIONS

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**ORDER**

**ON APPLICANT'S MOTION DATED  
3 OCTOBER 2016**

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**Counsel for Applicant:**  
Self-represented

**Counsel for Respondent:**  
Alan Gutman, ALS/OHRM, UN Secretariat

## **Introduction**

1. The Applicant has two separate but related applications registered under Cases No. UNDT/NY/2015/035 and UNDT/NY/2015/062. By Order No. 213 (NY/2016) dated 8 September 2016, the two cases were consolidated into a combined proceeding.

2. On 27 September 2016, the Applicant filed a motion raising issues in connection with the composition of the Second Fact-Finding Panel. On 28 September 2016, the Respondent replied to the Applicant's motion, producing, on an *ex parte* basis, a copy of the Office of Human Resources Management ("OHRM") roster of investigators.

3. By Order No. 226 (NY/2016) dated 28 September 2016, the Tribunal rejected the Applicant's motion dated 27 September 2016. The Tribunal directed the parties that no further motions shall be filed without its leave.

4. On 30 September 2016, the Applicant filed a motion seeking leave to request "the release of the copy of the OHRM roster submitted by the Respondent on an *ex parte* basis, without the personal contact information."

5. By Order No. 230 (NY/2016) dated 30 September 2016, the Tribunal directed the Respondent to disclose to the Applicant (by filing through the eFiling portal) a redacted copy of the OHRM roster.

6. On 3 October 2016, the Respondent filed a redacted copy of the OHRM roster. The Respondent re-filed the document on 4 October 2016, due to technical issues with the file submitted on 3 October 2016.

**Applicant's motion dated 3 October 2016**

7. On 3 October 2016, the Applicant filed a motion stating that the Respondent failed to comply with Order No. 226 in that “the correct interpretation of Order No. 226 (NY/2016) entails all persons on the roster involved in the Second Panel at the stage of constitution of the Panel, not only those appointed to serve on the Panel.” The Applicant requests the Tribunal to “order the release of the redacted copy of the OHRM roster, including, at the least, the names and other information relevant to the placement on the roster of all staff members of the Department of General Assembly and Conference Management (DGACM), as well as all others on the roster, including consultants, who had been considered or should have been considered during the constitution of the Panel.”

**Consideration**

8. The Tribunal finds that the terms of Orders No. 226 (NY/2016) and No. 230 (NY/2016), concerning the disclosure of the OHRM roster, have been fully complied with. The Applicant has not persuaded the Tribunal that further disclosures are required with respect to the OHRM roster, particularly in relation to individuals who had no involvement with the Second Fact-Finding Panel. His motion is denied.

IT IS ORDERED THAT:

9. The Applicant's motion of 3 October 2016 is denied.

*(Signed)*

Judge Alexander W. Hunter, Jr.

Dated this 4<sup>th</sup> day of October 2016