



UNITED NATIONS APPEALS TRIBUNAL  
TRIBUNAL D 'APPEL DES NATIONS UNIES

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Judgment No. 2015-UNAT-524

Utkina  
(Appellant)

v.

Secretary-General of the United Nations  
(Respondent)

JUDGMENT



Counsel for Appellant: Self-represented

Counsel for Respondent: Noam Wiener

*Reissued for technical reasons on 7 May 2015*

JUDGE DEBORAH THOMAS -FELIX , PRESIDING .

1. The United Nations Appeals Tribunal (Appeals Tribunal) has before it an appeal filed by Ms. Svetlana Utkina against Judgment No. UNDT/2014/024, rendered by the United Nations Dispute Tribunal (Dispute Tribunal or UNDT) in New York on 28 February 2014 in the case of

currently before the Appeals Tribunal, nor its Judgment on Suspension, dealt with the Appellant's medical history, disclosed sensitive personal information, or referred to matters of a

11. The Appellant also claims she has been unable to find another position by virtue of the publication of her name in the Judgment on Suspension.

The Secretary-General's Answer

12. The Secretary-General contends that the UNDT correctly rejected the Appellant's motion for redaction and its approach was consistent with UNAT jurisprudence to the same effect. Insofar as the Appellant cited purportedly exceptional concerns which the UNDT allegedly overlooked, the Judgment on Suspension was silent as to the Appellant's medical history and the Appellant did not present any evidence that public knowledge of her expertise and affiliation with her prior United Nations office would render her a target.

13. The UNDT's reference to the timeliness of the Appellant's request was only intended to determine the efficacy of a potential redaction order. The Respondent submits that the UNDT was correct to consider the timeliness of the Appellant's motion as an attempt to redact information that has already been in the public domain is difficult to enforce.

14. The remaining matters raised by the Appellant should be rejected as they are not related to the UNDT's decision to reject her motion for redaction, which is the subject of her present appeal. Further, the Appellant's claim that she will be unable to find further employment is unsubstantiated. The Respondent submits the Appellant has not established any errors on the part of the UNDT warranting a reversal of the Judgment and requests the Appeals Tribunal to dismiss the Appellant's appeal in its entirety.

Considerations

15. Two preliminary issues must first be addressed by this Tribunal. First, the Appellant

16. Second, the Appellant sought to file two additional pleadings. The Statute and the Rules do not provide for an appellant to file an additional pleading after the respondent has filed an answer. Nevertheless, Article 31(1) of the Rules and Section II.A.3 of Practice

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Original and Authoritative Version: English

Dated this 26<sup>th</sup> day of February 2015 in New York, United States.