Case No. 2022-1695



1. The Applicant (AAE) moves to have the Secretary-General and the Registrar of the United Nations Appeals Tribunal (UNAT) held in contempt, I assume although this is not stated, in contempt of the United Nations Dispute Tribunal (UNDT). I have made that assumption because it is the orders of the UNDT that are said to have been breached by the Respondents and which breaches are said to amount to contempt. The Applicant does not propose what is to be the consequence or sanction of a finding of contempt.

2. AAE has appealed agt928 (i)6.4 (-9B3) (TindginteO))((dfw 352203e0))h5(fh(w):2J4.dge5)df(())-4of (t)(i)6.4y the UNDTteciding that his dismissal from service for gross misconduct was justified.¹ Thecretar -General has cross-appealed

alleging contempt of the UNDT is within the UNAT's jurisdiction. The second is the citation of the Registrar of the UNAT as a Respondent when the Registrar was not a party to the proceeding before the UNDT. These are questions which raise preliminary and, at least, serious doubts about the justiciability of AAE's Motion. For the purposes of this Motion only, I will assume that there is jurisdiction to make the Order sought by AAE.

9. Addressing those merits of the Motion, if proceedings for contempt may arise from breach of an order made by the UNDT (or the UNAT for that matter), the terms of the order alleged to have been breached must be precise and easily ascertainable by anyone who may potentially be affected thereby. It is a serious charge that one is in contempt of a judicial body and not only must the order or direc