

Case No. 2022-1721

**Enrico Muratore Aprosio**

**(Appellant)**

**v.**

**Secretary-General of the United Nations**

**(Respondent)**

**ORDER No. 477 (2022)**

1. On 1 July 2022, the United Nations Dispute Tribunal (Dispute Tribunal or UNDT) in Geneva issued Judgment No. UNDT/2022/065 in the case of *Muratore against the Secretary-General of the United Nations* (the Judgment). In the Judgment, the UNDT rejected his application contesting the decision not to renew his fixed-term contract due to the abolition of his post with the Water Supply and Sanitation Collaborative Council (WSSCC), a now-closed hosted entity of the United Nations Office for Project Services (UNOPS). The UNDT found that Mr. Muratore had failed to demonstrate that the non-renewal decision was flawed by procedural irregularities or tainted by improper motives, and therefore it found no basis for the remedies pleaded for in the application.
2. On 18 August 2022, Mr. Muratore (Appellant) filed an appeal against the Judgment with the United Nations Appeals Tribunal (Appeals Tribunal).
3. On 15 September 2022, Mr. Muratore filed a motion for leave to have additional pleadings admitted before the Appeals Tribunal.

According to him, this article indicates corruption among these managers whose alleged behaviors undermine the United Nations' reputation.

4. On 23 September 2022, the Secretary-General filed his observations requesting the Appeals Tribunal to reject the motion. He submits that Mr. Muratore has not met the test required for filing of additional pleadings and the additional pleadings are a mere repetition of his prior submissions. In addition, such pleadings are irrelevant to the lawfulness of the non-renewal decision, as Mr. Muratore conflates issues before the Tribunals regarding the lawfulness of that decision with alleged corruption and/or procedural irregularities within WSSCC or UNOPS.

5. Article 31(1) of the Appeals Tribunal's Rules and Section II.A.3 of the Appeals Tribunal's Practice Direction No. 1 provide that a motion to file an additional pleading may be granted if there are "exceptional circumstances justifying the motion."

6. Article 2(5) of the Appeals Tribunal's Statute reads: "In exceptional circumstances, and where the Appeals Tribunal determines that the facts are likely to be established with documentary evidence, including written testimony, it may receive such additional

**IT IS HEREBY ORDERED** that Mr. Muratore's motion seeking leave to file additional pleadings **IS DENIED**.

Original and Authoritative Version: English

Decision dated this 3<sup>rd</sup> day of October 2022  
in Vancouver, Canada.

*(Signed)*  
Judge Kanwaldeep Sandhu,  
Duty Judge

Order published and entered in the Register on this  
3<sup>rd</sup> day of October 2022 in New York, United States.

*(Signed)*  
Juliet Johnson,  
Registrar