
UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NY/2019/055
Order No.: 15 (NY/2020)
Date: 23 January 2020
Original: English

Before: Judge Joelle Adda
Registry: New York
Registrar: Nerea Suero Fontecha

APPLICANT

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

ORDER

ON WITHDRAWAL

**AND ON REQUEST FOR
ANONYMITY**

Counsel for Applicant:
Mohamed Abdou, OSLA

Counsel for Respondent:
Marisa Maclellan, UNHCR

Introduction

1. On 26 December 2016, the Applicant, a staff member at the United Nations High Commissioner for Refugees (“UNHCR”), filed an application contesting a decision to impose on her a disciplinary sanction. With the leave of the Tribunal, the Applicant filed an amended application on 29 March 2017.

2. The case, originally filed with the Nairobi Registry of the Dispute Tribunal, was transferred to the New York Registry on 19 July 2019 and assigned to the undersigned Judge on 16 October 2019.

3. After several case management steps, on 22 January 2020, the parties informed the Tribunal that they had settled this matter amicably. The Applicant filed a subsequent notice of withdrawal and request for anonymity.

4. The Tribunal notes the withdrawal of the application.

5. With respect to the request for anonymity, the Applicant states that a publicly available order or judgment bearing her name and containing detailed information about the disciplinary process would significantly reduce the benefits of the settlement agreement. Moreover, she states, this information would no longer reflect the sanction ultimately imposed. She argues further that granting her request for anonymity would be consistent with the policies of the Organization designed to encourage informal resolution of disputes and would be in conformity with the practice of the Dispute Tribunal in similar cases.

6. The Tribunal notes that disciplinary proceedings are confidential and their existence is normally only revealed when the concerned staff member challenges the disciplinary sanction before the Dispute Tribunal, given that under art. 11 of its Statute, the judgments of the Tribunal are public.

