Case No. 2023-1878

AAZ[1]

(Appellant)

v.

Secretary-General of the United Nations

(Respondent)

Order No. 582 (2024)

1. On 9 October 2023, the United Nations Dispute Tribunal (UNDT or Dispute Tribunal) issued Judgment No. UNDT/2023/112 (impugned Judgment) in the case of *Applicant v. Secretary-General of the United Nations*, in which it dismissed AAZ's claims challenging the administrative decision not to select him for the fixed-term position of Senior Human Rights Officer and Coordinator of the International Fact-Finding Mission (FFM) on Venezuela (P-5) based in Panama City, Panama, Secretariat of the Office of the High Commissioner for Human Rights (OHCHR) (the Post).[2]

2. On 6 December 2023, AAZ

available on appeal. He further submits that the witness can only provide evidence *in camera* to the UNAT, under its strict protection and without the representatives of the Secretary-General for fear of reprisals against the witness who is a current OHCHR staff member. AAZ argues that the witness's fear is well-founded based on the OHCHR's previous conduct and the possibility of reprisals against the witness satisfies the requirement of exceptional circumstances.

5. AAZ also contends that OHCHR misrepresented his performance to the High Commissioner in the Selection Memo, and eventually shortlisted and selected an ineligible candidate. He adds that these points would have been sufficient to set aside the selection decision, had the UNDT given proper consideration to one or any of them. AAZ argues that he did not present the witness before the UNDT because the witness was afraid of suffering reprisals within OHCHR, and AAZ's case before the UNDT was strong enough without the witness.

6. Mindful of the fact that an order regarding service of the Motion on the other party is discretionary under Section II.A.1 of our Practice Direction No. 1, bearing in mind that one of the goals of the new system of administration of justice is rendering timely judgments,[3] and considering the power vested in the Appeals Tribunal in procedural matters not covered in the Rules under Article 31(1.3ance uraATuR2

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IT IS HEREBY ORDERED that AAZ's Motion of 19 September 2024 requesting the hearing of a key witness *in camera* is DENIED.

Original and Authoritative Version: English

Decision dated this 7th day of October 2024
in Buea, Cameroon.

(*Signed*)
Judge Leslie F. Forbang,
Presiding

Order published and entered in the Register on this
7th day of October 2024 in New York, United States.

(Signed)
Juliet E. Johnson,
Registrar