



**UNITED NATIONS APPEALS TRIBUNAL
TRIBUNAL D'APPEL DES NATIONS UNIES**

Judgment No. 2022-UNAT-1208

**Hatim Mahmoud Sobier
(Appellant)**

v.

**Secretary-General of the United Nations
(Respondent)**

JUDGMENT

Before:	Judge Graeme Colgan, Presiding Judge Kanwaldeep Sandhu Judge Dimitrios Raikos
Case No.:	2021-1527
Date:	18 March 2022
Registrar:	Weicheng Lin

Counsel for Appellant: Victor Rodríguez

Counsel for Respondent: André Luiz Pereira de Oliveira

JUDGE GRAEME COLGAN, PRESIDING.

1. Hatim Mahmoud Sobier (Appellant) appeals against the Judgment of the United Nations Dispute Tribunal (Dispute Tribunal or UNDT), which concluded that despite flaws in a selection process in which the Appellant participated unsuccessfully, these were not such as to render it unlawful and to award the Appellant remedies.¹ For the reasons set out below, we allow the appeal.

Facts and Procedure

2. The Appellant was and is an Engineer employed at the P-4 level with the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA or Mission). In 2018, the Appellant applied for a P-5 level vacancy (a generic job opening or GJO) numbered 94302. This was not for a single post but rather for placement on a roster of pre-assessed staff from which subsequent appointments to roles of Chief of Mission Support might be made in peacekeeping operations. Although the original advertisement of this GJO made it clear that only women were to apply (and therefore, by clear implication, only women would be placed on the roster), MINUSMA was persuaded by objectors to remove this restriction. It then extended the period for applications to be received by several weeks and received a substantial number of applications from men and women, including the Appellant's. He was preliminarily shortlisted with 34 others for a competency-based interview but was unsuccessful in being included subsequently among the 15 applicants to be finally placed on the roster.

3. Mr. Sobier was interviewed by an assessment panel consisting of three staff members on 3 May 2019. The job applicants were (or at least were meant to be) asked the same questions, and they were rated against indicators applicable for each of the competencies related to the post. In this instance, the candidates were rated on the following: (i) Professionalism; (ii) Planning and Organizing; (iii) Client Orientation; (iv) Managing Performance, and (v) Leadership. The panel rated Mr. Sobier's responses as partially satisfactory in two of the five assessed competencies, namely in Managing Performance and

¹ *Sobier v Secretary-General of the United Nations*, Judgment No. UNDT/2020/218 dated 29 December 2020 (Impugned Judgment).

Leadership. Mr. Sobier did not receive the recommendation of the interview panel to be placed on the roster.

4. The panel recommended 15 candidates to be placed on the roster, nine male and six female candidates. The Field Central Review Board (FCRB) endorsed the recommendation on 12 September 2019, and on 16 September 2019, Mr. Sobier received notification that his job application for the GJO was not successful.

5. On 11 November 2019, Mr. Sobier requested management evaluation of the decision not to roster him for the post of Chief of Mission Support at the P-5 level (Contested Decision). Following management evaluation, the Administration on 13 December 2019 upheld the Contested Decision.

6. On 14 March 2020, Mr. Sobier filed an application with the UNDT challenging the Contested Decision on the premise that he was not treated fairly and that the Administration committed multiple errors in the recruitment process.

The UNDT Judgment

7. The Appellant's claims brought to the UNDT challenging the lawfulness of his non-selection were several. First, he contended that in the circumstances of the deletion of the sex discrimination criterion, the Organisation was precluded from continuing with the same recruitment process but was rather required to cancel the defective process and recommence afresh. Second, the Appellant contended that the recruitment was tainted by bias and improper motivation exercised against him, as illustrated by several significant factual inaccuracies in the Administration's record-keeping relating to his interview. Third, the Appellant said that the period of 15 months (more than twice the allowable time) that the Administration took to process the applications before it made a selection decision affected the validity of the process and, we infer, ought to have resulted in the cancellation of the GJO. Fourth, the Appellant complained about the Organisation's administration of the written tests that preceded his interview. Connected with this ground of challenge, the Appellant said that the UNDT wrongly refused his request for disclosure of the Organisation's documents and in particular those containing the marks or scores in his written assessments. Fifth, the Appellant complained that his responses at interview were such that he should have received higher ratings or scores. Finally, he submitted to the UNDT that his assessments were so disparate

from his job performance reports that such discrepancies could only be accounted for by bias against him or other improper motivation on the part of the assessment panel.

8. On 29 December 2020, the UNDT issued the Impugned Judgment, finding that although there were procedural flaws in the selection process,² Mr. Sobier nevertheless had failed to substantiate the allegation that the Administration had acted in bad faith or that there was ill-motive exercised against him.³ The tribunal reasoned that the flaws identified by the staff member were subsequently rectified by the Administration,⁴ and in the end, the right of Mr. Sobier to have his candidacy be given full and fair consideration was not violated.⁵

9. Specifically, the UNDT noted that the changes effected to the GJO affecting the screening question and the language in the special notice were so fundamental that this should have caused the cancellation and re-advertisement of the GJO.⁶ This led to a finding by the tribunal that there were procedural flaws in the selection process.⁷

10. To substantiate his claim that the selection decision was tainted by improper motives and bias, the Appellant submitted that the questions and answers, which were documented by the Administration in the Interview Worksheet and the Comparative Analysis Report, did not actually match what he was asked at the interview.

11. The UNDT analysed the alleged discrepancies between the questions and answers regarding the Leadership and Managing Performance competencies. The tribunal agreed with Mr. Sobier that a different question was asked on Leadership, based on the information provided by him.⁸ On the other hand, the tribunal disagreed that there was a significant difference between the answers recorded by the panel members and those provided by the Appellant. The UNDT reasoned that the difference could be explained on the basis that the Administration was paraphrasing the responses of the Appellant.

² *Ibid.*, para. 23.

³ *Ibid.*, para. 50.

⁴ *Ibid.*, para. 53.

⁵ *Ibid.*, para. 55.

⁶ *Ibid.*, para. 22.

⁷ *Ibid.*, para. 23.

⁸ Mr. Sobier furnished his own record of the questions and answers in a document submitted as Annex No. 11 to the application. In the document, he describes his responses to the questions on Leadership and Managing Performance competencies.

12. Nonetheless, there was a still a remarkable difference between the actual question posed about Leadership competency and what the panel members were instructed to ask and should have asked all candidates to ensure equity among them. The UNDT noted that the case was similar to *Chhikara*,⁹ wherein the answers attributed to the candidate did not reflect the answers that the latter had recorded on his phone, used as a recording device. Furthermore, the tribunal highlighted that the Respondent did not rebut the evidence of Mr. Sobier that his answers did not match those documented by the Administration. In this regard, the tribunal found:¹⁰

...This leaves the Applicant's assertion that the documented questions are not the ones he was asked uncontroverted, thereby supporting a finding that the Interview Worksheet (reply, annex R/4) was so flawed and inherently unreliable that it cannot be taken as an objectively justifiable record of the assessment of the Applicant.

... The Tribunal is in agreement with the Applicant that this could result in a different evaluation and reporting in the procedural documents and the Field Central Review Board ("FCRB") could have been misled in approving the Rostering exercise. The Tribunal however emphasizes the fact that this finding alone is not sufficient to support the assertion that the selection process was tainted by ill-motive and bias.

...

... The finding that the selection process was procedurally flawed, and that for the Leadership competency a different question from the one the Applicant was asked was documented in the Interview Worksheet are not evidence of bias, which is defined as "a strong feeling of favor of or against one group of people ... often not based on fair judgement"[]. It may well have been the result of negligence.

13. In addition to the above, the UNDT reviewed other claims by Mr. Sobier, which were all dismissed because the other alleged errors did not constitute ill-motive or bias. In conclusion, the tribunal said:¹¹

... The Tribunal has made a finding that the rules governing the selection process were not entirely followed, and that there were procedural flaws during the selection process. Those flaws were, however, addressed and rectified. The Applicant's candidature failed only at the very end of the process when he did not meet required indicators for the two competencies.

⁹ *Chhikara v. Secretary-General of the United Nations*, Judgment No. 2017-UNAT-723.

¹⁰ Impugned Judgment, paras. 33-34 and 37 (internal footnote omitted).

¹¹ *Ibid.*, paras. 54 – 55.

...The Tribunal has also found that the anomalies in how the interview process was documented was the result of carelessness on the part of the Respondent, but that no bias or ill-motive could be attributed to him.

...The Tribunal cannot therefore find that the Applicant's right to a full and fair consideration of his candidature was violated.

14. Finding no evidence of bias, discrimination or extraneous factors, the UNDT dismissed Mr. Sobier's application. It rejected his claims for rescission of the Contested Decision and for compensation for emotional harm, career retrogression and financial loss. It judged that any such financial claim was purely speculative given that there was no guarantee of appointment once a candidate was rostered.

Submissions

Mr. Sobier's Appeal

15. Mr. Sobier first submits the changes to the GJO, which led to it being open to both male and female candidates, were so fundamental that the GJO should have been cancelled and re-advertised. Instead, the Administration just extended the period of posting for the modified GJO for another nine weeks. This constituted a significant procedural flaw. The UNDT agreed, but it did not find that these changes, significant as they may be, invalidated the whole selection process.

16. Second, Mr. Sobier submits the question which was documented in the Administration's Interview Worksheet differed from what he was actually asked at the interview. Mr. Sobier had summarised, from a recording he made, the questions and answers at the interview in a document that he submitted to the UNDT, which the Respondent did not challenge. In that regard, Mr. Sobier submits, by way of example, the following:

[Interview Worksheet Question]

Tell us what leadership traits you consider the most important for senior managers in the UN system. Give us an example of when you demonstrated one of these traits, and the results achieved. Give another example of where you did not demonstrate the required traits, and what happened.

...

[Actual Question]

Tell us about a time when you needed to implement high level strategy, how did go about it?

17. Mr. Sobier also submits his response to the Leadership question differed from that which was recorded by the Administration in the Comparative Evaluation Report. Similarly, for the Managing Performance competency, Mr. Sobier argues that his response differed from the one documented by the Administration in the Comparative Evaluation Report. Given these errors, Mr. Sobier argues the FCRB which decided, in reliance on the interview panel's report, to eliminate him from appointment to the roster was misled in approving the rostering exercise.

18. Furthermore, Mr. Sobier highlights that the UNDT accepted that the question on Leadership competency appeared to be different from that which was documented by the Administration.¹² The UNDT found these alleged discrepancies constituted procedural flaws and were probably the results of negligence. Nonetheless, the tribunal found even though these errors damaged the integrity of the selection process, they did not constitute evidence of bias and ill-motive against the Appellant. Mr. Sobier says that this was an error of law by the tribunal.

19. Mr. Sobier argues that this conclusion is untenable. He compares his case to *Chhikara*,¹³ where there were also procedural irregularities during the selection process and where the Interview Assessment Report was found to be unreliable. Mr. Sobier submits because of the flaws in the selection exercise in *Chhikara*, the impugned selection decision was found to be unlawful, and UNAT concluded in that case that there was a direct link between the irregularities and the appellant's non-selection. Similarly, in the present case, Mr. Sobier argues the UNDT erred when it concluded that his rights to a full and fair consideration were not violated, even after it made a finding that there were procedural flaws in the selection exercise.

¹² Mr. Sobier scored "Applicant partially meets the requirements" in two competencies, Leadership and Managing Performance, and he scored "Applicant successfully meets the requirements" in the three remaining ones: Professionalism, Planning and Organizing, and Client Orientation.

¹³ *Chhikara* Judgment, *op. cit.*, paras. 35 and 39-40.

The Secretary-General's Answer

20. The Secretary-General first submits the arguments advanced by the Appellant regarding the re-advertisement of the GJO and the pass rate for the written test are moot. As a preliminary matter, the Respondent highlights there is no provision in Administrative Instruction ST/AI/2010/3 (Staff selection system) supporting the UNDT's finding that the Administration should have first cancelled the GJO and then re-advertised it because the changes in the job posting were so fundamental. The Respondent maintains the manuals relied upon by the Appellant that support this view do not actually have legal force and only provide guidance on the responsibilities of the Hiring Manager. The Respondent also explains that regardless of the pass rate for the test, the Appellant was not negatively impacted by it. In fact, he passed the written assessment and moved on to the next phase of the recruitment, which was a competency-based interview. Thus, these alleged procedural flaws are of no moment since Mr. Sobier's candidacy was not impacted by them. He was able to submit his application, and he also passed the written assessment. Thus, these arguments are moot.

21. Regarding the alleged discrepancy between the questions and answers on the Leadership and Managing Performance competencies, the Respondent submits the UNDT erred in relying solely on the submissions of Mr. Sobier. The Appellant had unilaterally produced his own account of the questions and answers regarding the Leadership and Managing Performance competencies and submitted it as an annexure to his application. The Respondent argues there was nothing to corroborate the Appellant's version of the questions and answers. Instead, the Respondent submits the UNDT should have relied on the Interview Worksheet and the Comparative Analysis Report.

22. Finally, the Respondent also submits that the UNDT correctly rejected Mr. Sobier's claims for compensation and rescission of the Contested Decision. Notably, the Respondent explains there is no basis to award an increase of \$1,000 to Mr. Sobier's monthly salary on the premise that had the purported illegality not occurred, he would have been promoted to Regional Administrative Officer in Kidal. In that regard, the Respondent argues membership on a roster does not entitle a staff member to be selected for any vacant position that may arise in the future. As for loss of chance of promotion, the Respondent submits that claim should be dismissed as it is purely speculative. In conclusion, the Secretary-General asks the Tribunal to uphold the UNDT Judgment and dismiss the appeal in its entirety.

Considerations

23. We note at the outset that the parties decided that no hearing of witnesses was required and that the UNDT could make its decision from the papers filed with it. While that was their decision, and it may be understandable that the UNDT did not contradict that joint submission, it is somewhat surprising that the case could have been decided without the questioning of several relevant people including those who conducted the competency-based interviews of the Appellant and probably also the decision-maker(s) who determined that his application was to fail at that point. That is especially surprising in view of the UNDT's requirement of the Appellant that he must prove the states of mind of those persons. That would have been almost impossible without their presence as witnesses and questioning of them. Nevertheless, for reasons we will set out, we are satisfied that the UNDT applied an unduly narrow and erroneous approach to the lawfulness of the decision-making, so it is unnecessary for that evidence to be given now. There is sufficient on the documentary evidence for decision of this appeal.

24. While we agree with the Respondent's argument that it is only necessary to examine that part of the selection process in which the Appellant was unsuccessful (the interview stage), that does not eliminate the principal grounds of Mr. Sobier's appeal. Having been shortlisted after a process that the UNDT found to have been flawed, the focus is on the lawfulness of the competency-based interview after which the Appellant was eliminated from final selection. There is no suggestion that the competency-based interview outcome was affected by the flawed prior steps in the process. So while some elements of Mr. Sobier's appeal may indeed be moot as the Respondent submits, the appeal itself is not.

25. This conclusion therefore narrows the scope of the real issues on appeal, although not necessarily their seriousness. The interview panel deviated significantly from its planned questions. There was inconsistency between those asked of Mr. Sobier and other interviewees. There was inaccurate recording of Mr. Sobier's answers to those questions. The panel relied on its flawed records. These factors together raise serious questions about the reliability of the panel's recommendation against his selection.

26. To decide this appeal, it is necessary to expand on two separate principles that have arisen in previous similar cases and to explain these further than the sometimes cryptic and thereby potentially misleading way in which these have been expressed previously in cases

such as this. Both legal principles underpinned fundamentally the UNDT's Judgment in this case.

27. The first is that, particularly in cases of complaints of non-selection, the UNDT and the UNAT will not usurp the entitlement of the Secretary-General to make selection decisions. That is so, not least, because it is a fundamental principle of staff engagement under Staff Regulation 4.2 and ST/AI/2010/3 as the UNDT pointed out. It sometimes said, in other words, that the tribunals will not substitute their decisions about selection, and in particular who should be or should have been selected, for the decision of the Organisation, which is best placed to make the appropriate assessments that go into such decisions. We do not disagree with the generality of this statement. It is, however, subject to the exercise by the tribunals of their roles in ensuring legal compliance with the relevant selection processes in any case. If a selection process is sufficiently flawed in law, then the tribunals can and must set aside unlawfully made decisions. However, the constitutional demarcation line prevents the tribunals from making such selections in substitution as they consider they would have made and that the Secretary-General should have made.

28. The second legal principle we need to address concerns the nature and scope of what is called "bias" in administrative decisions affecting staff members and, in this case, relating to non-selection. The misapprehension of what constitutes bias may be illustrated by passages in the Impugned Judgment in this case. Addressing the legal tests raised by the second broad ground of challenge, the UNDT wrote at paragraph 24 in relation to ill-motive and bias: "[T]he mental state of the decision-maker usually will have to be proved on the basis of circumstantial evidence and inference drawn from that evidence." Authority for that proposition was said to be the UNAT's Judgment in *He*.¹⁴ At paragraph 37 of the Impugned Judgment, the UNDT addressed the nature of bias again, saying: "The finding that the selection process was procedurally flawed, and that for the Leadership competency a different question from the one the Applicant was asked was documented in the Interview Worksheet are not evidence of bias, which is defined as "a strong feeling of favor of or against one group of people ... often not based on fair judgement"[]. It may well be the result of negligence."

¹⁴ *He v. Secretary-General of the United Nations*, Judgment No. 2016-UNAT-686, para. 39.

29. Bias is an element of natural justice which examines not only the mind of the decision-maker subjectively but also examines the manifestation of the process of decision-making objectively. Put another way, a decision is not only biased if made by a decision-maker deliberately intending to favour or disadvantage the subject of it for improper reasons. Bias can also occur unintentionally on the part of the decision-maker if, considered objectively, a neutral, reasonable and informed bystander would conclude that it is likely to have been made to favour or disadvantage improperly the person affected by the decision. This is sometimes called “a reasonable apprehension of bias”. Its ascertainment is an objective exercise, and it arises and is entirely dependent on the circumstances of the case.

30. Unconscious bias or unconscious prejudice, sometimes based on inaccurate stereotyping of persons or classes of people, is a now well-recognised phenomenon in many legal systems. Its application may, if detected objectively, cause a decision to have been made improperly and so be unsupportable. However difficult in practice it may be to make an accurate assessment of the subjective mind of the decision-maker to determine whether a decision was infected by bias, an objective consideration of all other relevant factors may nevertheless bring the tribunal to the decision that bias was established.

31. An ill-motivated decision includes not only one in which the decision-maker is deliberately motivated to maliciously deprive the staff member of what would otherwise have been the staff member’s entitlement: an ill-motivated decision can also include one where the decision-maker’s reasons are simply wrong in law, for example by taking into account irrelevant, or failing to take into account relevant, considerations. While the word “ill” in the phrase “ill-motivated” can include moral wrongfulness, it can also include what might be called innocent or mistaken or negligent wrongfulness. The important element is wrongfulness, not the subjective attribution to the decision-maker’s motive for its occurrence.

32. The Appellant’s second ground of appeal is the mis-recording of the questions and answers at his interview and therefore the adoption of an erroneous and, for him, disadvantageous assessment of his competence without an explanation of these discrepancies by the Respondent. It is simply not possible to say whether this may or may not have affected the outcome of the interview and selection process. Following the demonstrated procedural irregularities, the onus moved to the Respondent to justify his actions or omissions. However, that burden was not discharged adequately by the Secretary-General.

33. It is unfortunate, also, that the Appellant's evidence provided to the UNDT of what was said at the Appellant's interview was not presented in a fuller and more accurate form. That is because a major plank of the Appellant's case before the UNDT and now on appeal addresses what he says was significant misrepresentation of the content of that interview by the interview panel's report. What was presented by the Appellant to the UNDT appears to have been his own summary prepared from a sound recording made by him in the interview room. No copy of that sound recording, or any complete verbatim transcript of it, was apparently presented to the UNDT. It is not a part of the UNDT's documentary file before us. Rather, the Appellant presented, and the UNDT accepted, his summary of parts of that interview and a verbatim transcript of other parts of it. Nevertheless, the Respondent did not challenge the accuracy of the Appellant's assertions of what was said by the interview panel, and the UNDT accepted the Appellant's evidence. Nor is that factual finding by the UNDT of what was said to and by the Appellant at the interview challenged by the Respondent on this appeal. In these circumstances, and while pointing out that it would have been preferable to have had the best and most complete evidence made available to it or that the UNDT should have itself called for that best evidence, we will proceed on the assumption, as the UNDT concluded, that the Appellant's account of what transpired at the interview was correct.

34. It is fundamental to both a fair process and a fair outcome that the Respondent should adhere to its self-imposed expectations, and if it does not, it can be expected to provide an explanation for departing from it. It is likewise fundamental that an assessment panel's recording of interviews be accurate and not misleading. That was not the case with Mr. Sobier's interview. The UNDT was wrong to have excused these significant discrepancies and to have done so by applying an unduly narrow and inaccurate legal test to them.

35. We reject the Respondent's argument that the UNDT should have relied not on Mr. Sobier's uncorroborated record of his interview but rather on the interview panel's records of that event. That submission misses the point, properly made by the UNDT, that there was no challenge to Mr. Sobier's account of what was said and recorded by him, despite the Secretary-General having had the opportunity to contradict that evidence. The panel's own records were those being challenged, and not an independent corroboration of their accuracy. Therefore, having recourse solely to those records to confirm their own accuracy would have been no more than self-serving. Finally in this regard, there is no requirement for the acceptance of evidence such as Mr. Sobier adduced that it be corroborated. While

corroboration may reinforce the reliability of evidence, neither its admissibility nor its acceptance requires corroboration. The UNDT accepted Mr. Sobier's evidence in this regard both because of the means of its recording and in the absence of a challenge to it by the Respondent.

36. As to those material flaws or errors affecting Mr. Sobier's failure in the selection process, the UNDT agreed with him at paragraph 34 of its Judgment that these could have resulted in a different evaluation of the interview which, in turn, could have been misleading in the final selection decision. Despite this finding, the tribunal went on to say that such "finding alone is not sufficient to support the assertion that the selection process was tainted by ill-motive and bias".¹⁵

37. Given our decision about the significant process flaws attaching to the interview, it is strictly unnecessary to go on and consider whether the UNDT found correctly that the selection process was not biased in law against Mr. Sobier. For what it is worth, we think that by asking him questions that were outside its riding instructions and were not asked of other candidates, and by misreporting significantly his answers, the Respondent may well have exhibited bias in law. That is, a neutral, independent, reasonable and informed observer could have considered, in the absence of a contradiction or explanation for these unusual features in the selection process, that the Respondent was prejudiced against the Appellant or favoured other candidates. We are, we repeat, not deciding that was so or more especially we are not concluding that the decision-makers set out deliberately to disadvantage the Appellant. Rather, because of the Respondent's election to call no evidence and the UNDT's decision to decide the case before it in that manner, a sufficient (*prima facie*) but unanswered case of bias in law (as defined earlier in this Judgment) against Mr. Sobier may have been established. If, as the UNDT found at paragraph 37, there was bias against Mr. Sobier by negligence, then as we have explained that would nevertheless be bias in law, which should set aside the decision so made. Bias is not legitimised by having been applied negligently. For the foregoing reasons, the administrative decision not to place Mr. Sobier on the roster must be, and is, rescinded. Normally, in non-selection cases where a candidate is successful long after the event and another staff member is installed in the role applied for, it is unrealistic to do other than compensate the successful appellant on a loss-of-chance basis. Here, however, the selection was of 15 staff members to constitute a roster from which appointments could be made from

¹⁵ Impugned Judgment, para. 34.

time to time, as required. Although we have no information about how many appointments from the roster have been made over the past almost three years, it is at least possible that there may have been and there continues to be an opportunity for such appointments in the future. This might make Mr. Sobier's eventual placement on the roster still a practicable solution. So we encourage the parties (perhaps with the assistance of mediation) to consider exploring this methodology of dispute resolution. Alternatively, and if the Secretary-General so elects, compensation should be paid to Mr. Sobier.¹⁶ Assessing the basis for such compensation is difficult. There was not a particular role with a starting date and set remuneration to which he might have been appointed. Even if treated properly in the interview process, he may or may not have been placed on the roster. If he had been, he may not have been appointed for a particular role for some time. Acknowledging that Mr. Sobier's career progression generally has been compromised by his elimination from the roster and that he has experienced his Mission misrepresent information about him, we consider that an award of a finite sum of compensation (which is less than the statutory cap of two years' net base pay) is warranted. We set that amount of alternative compensation at USD 3,000.

¹⁶ Article 9 (1)(a) of the Appeals Tribunal Statute.

Judgment

38. The appeal is allowed, and Judgment No. UNDT/2020/218 is set aside. The decision to not place Mr. Sobier on the roster is rescinded. In default of rescission of the challenged decision, we fix compensation payable to Mr. Sobier in the sum of USD 3,000.

Original and Authoritative Version: English

Dated this 18th day of March 2022.

(Signed)

Judge Colgan, Presiding
Auckland, New Zealand

(Signed)

Judge Sandhu
Vancouver, Canada

(Signed)

Judge Raikos
Athens, Greece

Entered in the Register on this 29th day of April 2022 in New York, United States.

(Signed)

Weicheng Lin, Registrar