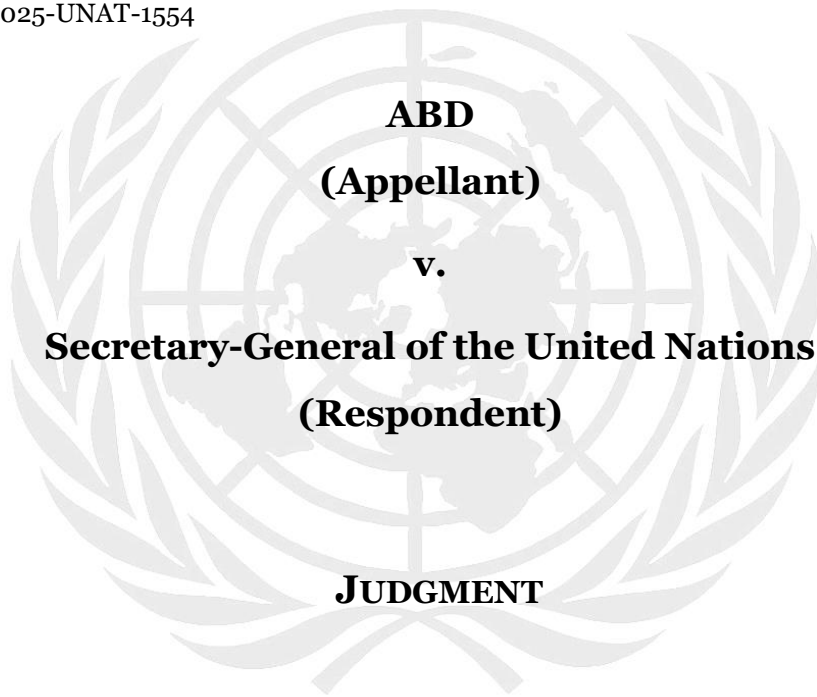




# UNITED NATIONS APPEALS TRIBUNAL TRIBUNAL D'APPEL DES NATIONS UNIES

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Judgment No. 2025-UNAT-1554



**ABD**  
**(Appellant)**

**v.**

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

**JUDGMENT**

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Before:	Judge Graeme Colgan, Presiding Judge Nassib G. Ziadé Judge Abdelmohsen Sheha
Case No.:	2024-1960
Date of Decision:	27 June 2025
Date of Publication:	29 July 2025
Registrar:	Juliet E. Johnson

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Counsel for Appellant:	Self-represented
Counsel for Respondent:	Noam Wiener

**JUDGE GRAEME COLGAN, PRESIDING.**

1. ABD appeals against an Order<sup>1</sup> of the United Nations Dispute Tribunal (UNDT or the Dispute Tribunal) declining to redact parts of its earlier Judgment given in proceedings between ABD and the Secretary-General (impugned Order).<sup>2</sup>
2. We will identify the Appellant by the letters ABD and refer to the Appellant by gender-neutral language to preserve their anonymity.
3. For the reasons set out below we dismiss the appeal as having been brought out of time thereby making it not receivable.

**Facts and Procedure**

4. Because of its personal sensitivity we will not identify the nature of the information ABD sought to have redacted from the UNDT's earlier Judgment. We have, nevertheless, considered the unredacted version of this Judgment. It is sufficient to say that some of the headings and text of the Judgment included references to private and personal information about ABD which they had put before, or otherwise made known to, the Dispute Tribunal.
5. ABD filed a motion identifying the material they wished to be redacted from the Judgment by paragraph numbers and, in one case, a sub-heading.
6. The UNDT granted ABD's request in part, by redacting one sub-heading, and some text in another paragraph.
7. However, with respect to their redaction request of another paragraph, the UNDT found that it did not disclose any information about ABD and rather reflected testimony that was at the heart of the Dispute Tribunal's consideration of a remanded issue from the UNAT.
8. Similarly, with respect to another paragraph which ABD sought to be redacted, the UNDT held that it did not reveal any particular details about ABD and declined to redact it.
9. The Dispute Tribunal issued the Order granting in part the redaction request on 4 September 2024.

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<sup>1</sup> Order No. 101 (GVA/2024).

<sup>2</sup> Judgment No. UNDT/2023/119.

10. On 3 November 2024, ABD filed an appeal of the impugned Order with the United Nations Appeals Tribunal (UNAT or Appeals Tribunal).

### **Submissions**

#### **ABD's Appeal**

11. ABD's submissions are lengthy and complex. They traverse a number of substantive and procedural challenges to the hearing of their case from which the Judgment now sought to be redacted was issued. We understand that these are not the subject of a separate appeal and will not consider or comment on them.

12. The Appellant says that the Respondent formally indicated his non-opposition to the redactions they sought affecting their personal information. They say for reasons they outline related to their personal safety, that the redactions made by the UNDT in the relevant Judgment were insufficient and that the re-publication of this issue has revived those severely adverse consequences for them.

13. ABD says that the information about them which was published by the UNDT is irrelevant to the issues which are the subject of the relevant Judgment and their absence would not affect adversely what they acknowledge is the importance generally of the transparency of the system of the administration of justice for the United Nations.

14. ABD asserts that as a consequence of the lack or minimal nature of redactions made, they have been unable to apply for work in a number of countries because of their personal circumstances and this has been exacerbated by the functioning ("scraping") of internet search engines.

15. If the redactions are not made as they request, ABD seeks an order requiring publication of a number of other named persons who were significant actors in the events surrounding their employment and against whom they have complained of serious misconduct both at that time and in their participation in their proceedings.

16. Finally, the Appellant requests that the Judgment on this appeal be not published because of what they say is the practical impossibility of adequate redaction to prevent further breaches of their privacy rights.

### **The Secretary-General's Answer**

17. The Secretary-General submits that substantial parts of the Appellant's submissions are irrelevant to the appeal now brought.

18. The Respondent reiterates that he has no objection to the redaction of those parts of the UNDT's substantive Judgment sought by the Appellant but that the Dispute Tribunal declined to redact.

### **Considerations**

19. In response to the Appellant's submission summarised at paragraph 14 of this Judgment, we consider that the best and most just thing we can do to both protect the Appellant against the responses of "internet trolls" to the publication to date of their personal but irrelevant information, but also to do justice as transparently as possible in these circumstances, is to anonymise the Appellant and information relating to previous proceedings.

20. Although not addressed by either party, there is a fundamental preliminary issue affecting the receivability of this appeal. Receivability goes to jurisdiction: that is, unless an appeal is receivable, the UNAT is not empowered in law to consider and decide its merits.

21. This jurisdictional issue relates to ABD's compliance with the time limits for filing an appeal. Even though the Secretary-General has not taken or even identified this point, the Appeals Tribunal must be satisfied that it has jurisdiction to enter upon the case. It is therefore necessary that we consider and decide it.

22. The impugned Order was issued by the UNDT on 4 September 2024, and ABD filed their appeal against it on 3 November 2024. Under Article 7(1)(c) of the UNAT Statute, a party has 30 days within which to appeal an "interlocutory order" of the UNDT. There is no other statutory power to appeal against an order (as opposed to a final judgment) of the Dispute Tribunal. All appeals must otherwise be against substantive and final judgments of the UNDT. By contrast, a party seeking to appeal a "judgment" of the UNDT has 60 days within which to do so.

23. ABD's appeal was filed within 60 days of the Order's issuance, but more than 30 days after that event. ABD was thus out of time to appeal against the impugned Order.

24. The UNAT has no power in law to consider an appeal from an order if the appeal is out of time and there has been no request for waiver of or other adjustment to this limitation period, or the disclosure of exceptional circumstances why there should be a waiver. The appeal must therefore be dismissed for want of jurisdiction.

**Judgment**

25. We dismiss the appeal against the impugned Order as being not receivable.

Original and Authoritative Version: English

Decision dated this 27<sup>th</sup> day of June 2025 in New York, United States.

*(Signed)*

Judge Colgan, Presiding

*(Signed)*

Judge Ziadé

*(Signed)*

Judge Sheha

Judgment published and entered into the Register on this 29<sup>th</sup> day of July 2025 in New York, United States.

*(Signed)*

Juliet E. Johnson,  
Registrar