



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

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Cases No. 2012-353 and No. 2013-425

**Servas**  
**(Appellant)**

**v.**

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

**ORDER No. 127 (2013)**

1. On 26 July 2012, Ms. Susan Servas filed an appeal with the United Nations Appeals Tribunal (Appeals Tribunal) against Judgment No. UNDT/2012/102, rendered by the United Nations Dispute Tribunal (UNDT or Dispute Tribunal) in Geneva on 2 July 2012 in the case of *Servas v. Secretary-General of the United Nations*. This appeal is Appeals Tribunal Case No. 2012-353. On 8 October 2012, the Secretary-General filed his answer.

2. On 7 January 2013, Ms. Servas filed an appeal with the Appeals Tribunal against Judgment No. UNDT/2012/195, rendered by the UNDT in Geneva on 11 December 2012 in the case of *Servas v. Secretary-General of the United Nations*. This appeal is Appeals Tribunal Case No. 2013-425.

3. On 21 February 2013, Ms. Servas filed a motion for consolidation of Cases No. 2012-353 and No. 2013-425. On 7 March 2013, the Secretary-General filed his response, indicating that he had no objection to such joinder. I am inclined to accept Ms. Servas' motion for consolidation, in the interests of judicial economy. This does not reflect upon the decision of the Dispute Tribunal to maintain the cases separately at first instance.

4. Also on 21 February 2013, Ms. Servas filed a motion for confidentiality, requesting that her name be redacted from the afore-mentioned Dispute Tribunal Judgments No. UNDT/2012/102 and No. UNDT/2012/195 and Appeals Tribunal Cases No. 2012-353 and No. 2013-425. Included therein was a request for extension of time to appeal the 19 June 2012 decision of the Dispute Tribunal, refusing redaction of her name in its Judgment No. UNDT/2012/027 rendered on 16 February 2012. In his 7 March 2013 answer, the Secretary-General objected to these requests.

5. The names of litigants are routinely included in judgments of the internal justice system of the United Nations in the interests of transparency and, indeed, accountability. Ms. Servas refers to a settlement agreement she entered into, the terms of which were to remain confidential. The Secretary-General rightly points out, however, that the existence, *per se*, of the settlement agreement is not confidential. I am not persuaded that Ms. Servas displays a greater need than any other litigant for confidentiality and reject her motion, accordingly.

6. Insofar as Ms. Servas' request for extension of time to appeal the 19 June 2012 decision of the Dispute Tribunal refusing redaction of her name in its Judgment UNDT/2012/027 is concerned, she has failed to provide the exceptional circumstances required by Article 7(3) of the Statute of the Appeals Tribunal for waiver of the time limits or to otherwise prove her case. Accordingly, this request must fail.

7. For the reasons set out herein, I grant Ms. Servas' motion for consolidation of Cases No. 2012-353 and No. 2013-425. I reject her motion for confidentiality and for extension of time.

Original and Authoritative Version: English

Dated 12<sup>th</sup> day of March 2013 in Montevideo, Uruguay.

*(Signed)*  
Judge Luis María Simón, President

Entered in the Register on this 12<sup>th</sup> day of March  
2013 in New York, United States.

*(Signed)*  
Weicheng Lin, Registrar