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

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Case No. 2013-440

**Ahmed**  
**(Respondent/Applicant)**

**v.**

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

**ORDER No. 132 (2013)**

1. On 25 March 2013, Mr. Amin Ahmed filed a “Motion for Confidentiality” in case number 2013-440, in which the Secretary-General appeals Judgment No. UNDT/2012/186, rendered by the United Nations Dispute Tribunal in New York on 30 November 2012 in the case of *Ahmed v. Secretary-General of the United Nations*. Mr. Ahmed sought that his Answer in the matter be “restricted”, pending a decision on the receivability of the appeal. On 16 April 2013, the Secretary-General filed his comments on Mr. Ahmed’s motion.

2. The “Motion for Confidentiality” is neither clear nor supported by argument, despite the fact that the Registry of the Appeals Tribunal invited Mr. Ahmed’s counsel to submit same. As such, neither the Secretary-General nor this Tribunal can be certain as to what Mr. Ahmed seeks. Parties should ensure that pleadings are clear and properly argued, in order for the interests of justice to be served.

3. It appears that Mr. Ahmed seeks an order that his Answer in the case be kept from the Secretary-General until such time as the Appeals Tribunal rules on the receivability of the appeal. This is not possible. First, it is a basic premise of due process that a party in an adversarial proceeding is entitled to the pleadings of the other party. Second, as the practice

of the Appeals Tribunal is to rule on the receivability and the merits of an appeal simultaneously, Mr. Ahmed's request would not, in any event, prove feasible.

4. Insofar as Mr. Ahmed appears to request redaction of his name, given his motion is entitled "Motion for Confidentiality", I am not persuaded this case justifies anonymity. The principles of transparency and accountability, which are enshrined in the system of administration of justice at the United Nations, require that names should be redacted in only the most sensitive of cases. The subject matter of the instant appeal does not meet that test, and nor has Mr. Ahmed made any argument that it does.

5. In view of the foregoing, I have decided not to grant Mr. Ahmed's motion.

Original and Authoritative Version: English

Dated 24<sup>th</sup> day of April 2013 in Accra, Ghana.

*(Signed)*  
Judge Sophia Adinyira

Entered in the Register on this 25<sup>th</sup> day of April 2013  
in New York, United States.

*(Signed)*  
Weicheng Lin, Registrar