



UNITED NATIONS APPEALS TRIBUNAL TRIBUNAL D'APPEL DES NATIONS UNIES

Case No. 2013-509

Mebtouche

(Applicant)

v.

Secretary-General of the United Nations

(Respondent)

ORDER No. 152 (2013)

1. On 30 March 2010, the United Nations Appeals Tribunal (Appeals Tribunal) rendered Judgment No. 2010-UNAT-033 in the case of *Mebtouche v. Secretary-General of the United Nations*.
2. On 15 July 2013, Mr. Larbi Mebtouche filed a “Motion for Confidentiality” (Motion) seeking confidentiality of the Judgment and anonymity. He submits that the Judgment “immediately appears” when his name is searched on the internet and claims that this situation has affected his privacy and caused him prejudice when applying for positions, both within and outside the Organization. The Secretary-General filed his observations on 9 August 2013 opposing the Motion.
3. The internal system of justice of the United Nations was established, *inter alia*, to create an independent, transparent and professionalized system.¹ In order to fulfil these requirements, in particular transparency, Article 10(9) of the Statute of the Appeals Tribunal and Article 20 of its Rules of Procedure (Rules) both determine that judgments of the Appeals Tribunal are to be published. Article 20(2) of the Rules further states that “[t]he published judgements will normally include the names of the parties”.
4. Mr. Mebtouche broadly states that his privacy has been affected which has caused him prejudice when applying for positions. The Appeals Tribunal has consistently held

¹ General Assembly Resolution 61/261, para. 4.

that confidentiality can only be granted in exceptional circumstances and in cases of utmost sensitivity.² The subject matter of the Judgment, a non-promotion, does not meet that test, nor has Mr. Mebtouche made any argument that it does.

5. In view of the foregoing, Mr. Mebtouche's Motion is rejected.

Original and Authoritative Version: English

Dated 22nd day of August 2013 in
London, United Kingdom.

(Signed)
Judge Richard Lussick
Duty Judge

Entered in the Register on this 22nd day of
August 2013 in New York, United States.

(Signed)
Weicheng Lin, Registrar

² *Ahmed v. Secretary-General of the United Nations*, Order No. 132 (2013), para. 4; *Servas v. Secretary-General of the United Nations*, Order No. 127 (2013), para. 5.