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

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Case No. 2018-1194

**Nouinou**

**(Applicant)**

**v.**

**Secretary-General of the United Nations**

**(Respondent)**

**ORDER No. 348 (2019)**

1. On 26 June 2018, the United Nations Dispute Tribunal in New York issued Judgment No. UNDT/2018/070 in the case of *Nouinou v. Secretary-General of the United Nations*. On 27 August 2018, the Secretary-General filed an appeal before the United Nations Appeals Tribunal (Appeals Tribunal) and Ms. Fátimazöhra Nouinou filed her answer on 29 October 2018. On 14 January 2019, Ms. Nouinou filed a motion for leave to file additional pleadings. By Order No. 339 Corr. 1 (2019) dated 30 January 2019, the Appeals Tribunal denied Ms. Nouinou's motion.<sup>1</sup>

2. On 29 March 2019, the Appeals Tribunal orally pronounced at a public hearing that the Secretary-General's appeal was granted and that Judgment No. UNDT/2018/070 was vacated. The full text of Judgment No. 2019-UNAT-902 was released on 29 May 2019.

3. Following the pronouncement, on 2 April 2019 and 4 April 2019, respectively, Ms. Nouinou filed a motion entitled "Motion to Overcome Judicial Bias and Withhold Case for Independent Oversight" and a "Motion for Clarification, Dissuasion and Reconsideration". By Order No. 344 (2019) dated 1 May 2019, the Appeals Tribunal denied the motions.

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<sup>1</sup> Order No. 339 (2019) was issued on 31 January 2019 and was corrected on 4 February 2019, in analogous application of Article 26 of the Appeals Tribunal Rules of Procedure.

4. On 2 May 2019, Ms. Nouinou submitted a filing entitled “Appellee’s Arguments about Order 344 {2019} and Request for its Correction Annulling the Current Order”. On 30 May 2019, Ms. Nouinou filed a motion entitled “Appellee’s Follow-up on Motion of 2 May 2019 and Question about Judgment 2019/UNAT/902”.

5. In her motions, Ms. Nouinou contends that she does not “agree” with the Appeals Tribunal Judgment, that she “remains in her position” regarding the alleged judicial bias tainting the Appeals Tribunal Judgment and that she “still requires justice to be served”. Furthermore, she seeks the removal of her first name in Order No. 344 (2019) and Judgment No. 2019-UNAT-902 and removal of certain references in Order No. 339 (2019) and Order No. 344 (2019) as well as annulment of both orders.

6. In her motions, Ms. Nouinou is merely repeating the arguments she made in her previous motions which the Appeals Tribunal already rejected. As to Ms. Nouinou’s request to remove her first name from the Judgment and Orders, the inclusion of which she contends is “unusual” and raises concerns, it is common practice of the Appeals Tribunal to include the individual’s first name in the introductory paragraph of a Judgment or Order. There is no merit to Ms. Nouinou’s contention that she has been singled out in this regard.

7. The Appeals Tribunal finds that Ms. Nouinou’s motions are clearly without merit, frivolous and constitute an abuse of process. Ms. Nouinou is warned that if she keeps abusing the process, the Appeals Tribunal will have no choice but to award costs against her pursuant to Article 9(2) of the Appeals Tribunal Statute.

**IT IS HEREBY ORDERED** that the Motions **ARE DENIED**.

Original and Authoritative Version: English

Dated this 20<sup>th</sup> day of June 2019  
in New York, United States.

*(Signed)*  
Judge John Raymond Murphy,  
Duty Judge

Entered in the Register on this 20<sup>th</sup> day  
of June 2019 in New York, United States.

*(Signed)*  
Weicheng Lin, Registrar