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

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Case Nos. 2023-1874 & 2024-1894

**Philippe Schifferling**

**(Appellant)**

**v.**

**Secretary-General of the United Nations**

**(Respondent)**

**ORDER No. 573 (2024)**

1. On 26 October 2023, the United Nations Dispute Tribunal (UNDT or Dispute Tribunal) issued Order No. 118 (NY/2023) in Case No. UNDT/NY/2022/058, *Schifferling v. Secretary-General of the United Nations*, in which it rejected Mr. Philippe Schifferling's motion to "join the Secretariat" to his case. Mr. Schifferling, a former staff member in the United Nations Office for Project Services (UNOPS), considered the Secretariat to be "a necessary party" to the proceeding. The Dispute Tribunal denied the motion for lack of merit.
2. On 24 November 2023, Mr. Schifferling filed an interlocutory appeal of Order No. 118 with the United Nations Appeals Tribunal (Appeals Tribunal or UNAT). This appeal was registered as Case No. 2023-1874 with the UNAT. The Secretary-General filed his answer on 18 December 2023.
3. On 4 December 2023, the Dispute Tribunal issued a final judgment on Mr. Schifferling's Case No. UNDT/NY/2022/058 in Judgment No. UNDT/2023/134 (UNDT Judgment). The UNDT dismissed Mr. Schifferling's application contesting the Administration's decision to charge him with misconduct as not receivable *ratione materiae*. On 5 February 2024, Mr. Schifferling filed an appeal of this UNDT Judgment. This case was registered as Case No. 2023-1894 with the UNAT. The Secretary-General filed his answer on 22 March 2024.

4. Under Article 18bis(1) of the Appeals Tribunal Rules of Procedure, “[t]he President may, at any time, either on a motion of a party or on his or her own volition, issue any order which appears to be appropriate for the fair and expeditious management of the case and to do justice to the parties”.

5. Given that the interlocutory appeal of Order No. 118 (NY/2023) stems from the same UNDT case for which the Appeals Tribunal has also received an appeal of the final UNDT Judgment, I find it appropriate for the fair and expeditious management of the cases and to do justice that the Appeals Tribunal consolidate UNAT Case Nos. 2023-1874 and 2023-1894 for adjudication.

**IT IS HEREBY ORDERED** that the appeals filed in Case Nos. 2023-1874 and 2024-1894 be consolidated for all purposes.

Original and Authoritative Version: English

Decision dated this 25<sup>th</sup> day of July 2024 in  
Beijing, China.

*(Signed)*  
Judge Gao Xiaoli,  
President

Order published and entered in the Register on this  
25<sup>th</sup> day July 2024 in New York, United States.

*(Signed)*  
Juliet E. Johnson,  
Registrar