



**Before:** Judge Joëlle Adda, President

**Registry:** Geneva

**Registrar:** René Vargas M.

ABALOS et al.

v.

SECRETARY-GENERAL  
OF THE UNITED NATIONS

---

**PRESIDENT'S ORDER  
ON RECUSAL AND TRANSFER OF  
CASE**

---

**Counsel for Applicants:**

Christopher Bollen  
Mathis Kern

**Counsel for Respondent:**

Daniel Trup, WMO

## **Introduction**

1. By Order No. 131 (GVA/2020) dated 28 December 2020, Judge Bravo recused herself from handling the present case due to the existence of a conflict of interest.
2. For the reasons stated below, I accept her recusal and order the transfer of the case to the New York Registry.

## **Background**

3. In the present case, the Applicants, staff members of the World Meteorological Organization (“WMO”) in Geneva, contest “the decision of the Secretary-General of the WMO to accept the recommendation of the WMO’s Joint Appeals Board to implement the reduced post adjustment multiplier for staff members of the WMO.”
4. Judge Bravo, assigned to hear this case, found that while Judges of the Dispute Tribunal are not staff members of the Organization, they are compensated in the same manner as staff members, with salaries and allowances equivalent to the D-2 level, following the recommendations of the Secretary-General to the General Assembly.
5. As a result, she found that, as a Judge stationed in Geneva, her own conditions of service are subject to the same conditions as those affecting staff members based in the Geneva duty station.
6. Judge Bravo therefore concluded that she found herself in the same situation as the Applicants and therefore in a conflict of interest in the sense of art. 27 of the Tribunal’s Rules of Procedure. She therefore recused herself and remanded the matter to the President of the Dispute Tribunal in application of art. 28.1 of the Tribunal’s Rules of Procedure.

**Consideration**

7. I find that the grounds for recusal provided by Judge Bravo are substantial and I accept her recusal. I further consider that, for the same reasons expounded by Judge Bravo, it is not appropriate for this matter to be adjudicated by any Judge stationed in Geneva.

8. In light of the above and considering the caseload at the Nairobi Registry, I find that it is appropriate to transfer the case to the New York Registry.

IT IS ORDERED THAT:

9. The present case shall be transferred to the United Nations Dispute Tribunal Registry in New York with immediate effect.

10. The Geneva Registry is directed to effect the necessary arrangements for the transfer of the case file to the New York Registry.

*(Signed)*

Judge Joëlle Adda, President

Dated this 29<sup>th</sup> day of December 2020

Entered in the Register on this 29<sup>th</sup> day of December 2020

*(Signed)*

René M. Vargas M., Registrar, Geneva