



Case No.: UNDT/GVA/2023/027

Order No.: 36 (GVA/2024)

Date: 19 April 2024

Original: English

Before: Judge Sun Xiangzhuang

Registry: Geneva

Registrar: René M. Vargas M.

BOZZAY

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**ORDER
ON CASE MANAGEMENT**

Counsel for Applicant:

Self-represented

Counsel for Respondent:

Sandra Lando, UNHCR

Jan Schrankel, UNHCR

Introduction

1. On 14 May 2023, the Applicant, a Project Control Officer with the Office of the United Nations High Commissioner for Refugees (“UNHCR”) in Addis Ababa, filed an application contesting the 15 March 2023 decision of the UNCHR Medical Section to revoke the validity of his Periodic Medical Examination (“PME”).
2. On 16 June 2023, the Respondent filed his reply, in which he questioned, *inter alia*, the receivability of the application.
3. By Order No. 99 (GVA/2023) of 15 August 2023, the Tribunal instructed the Applicant to file a rejoinder, which he did on 30 August 2023.

Consideration

The Applicant’s motion for anonymity

4. With his rejoinder, the Applicant requested anonymity in these proceedings to avoid being identified once the judgment is published to “prevent the common retaliation against whistleblowers”.
5. As it is already well-established case law, “the names of litigants are routinely included in judgments of the internal justice system of the United Nations in the interests of transparency and accountability, and personal embarrassment and discomfort are not sufficient grounds to grant confidentiality” (*Buff* 2016-UNAT-639, para. 21).
6. The Tribunal also recalls that in its resolutions 76/242 and 77/260, adopted on 24 December 2021 and 30 December 2022 respectively, the General Assembly reaffirmed the principle of transparency to ensure a strong culture of accountability throughout the Secretariat.
7. It follows that the internal justice system is governed by the principles of transparency and accountability. A deviation from these principles by means of anonymization requires that an applicant meets a high threshold for such a request to be granted.

8. In the Applicant's case, he did not provide any valid reason to warrant anonymization. Indeed, he is not a recognized whistleblower, and neither is he discussing a potentially confidential matter.

9. In view of the foregoing, the Tribunal is not satisfied that the interest of anonymity overrides the need for transparency and accountability in the Applicant's case. Accordingly, the Applicant's request for anonymity is rejected.

Closing submissions

10. Having examined the parties' submissions to date and the evidence on record, the Tribunal finds that it is fully informed on the matter, which can be determined without holding a hearing on the merits, and that it can proceed to the filing of closing submissions.

Conclusion

11. In view of the foregoing, it is ORDERED THAT:

- a. The Applicant's motion for anonymity is rejected; and
- b. The parties shall file their respective closing submission by **Friday, 3 May 2024**.

(Signed)

Judge Sun Xiangzhuang

Dated this 19th day of April 2024

Entered in the Register on this 19th day of April 2024

(Signed)

René M. Vargas M., Registrar, Geneva