



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/GVA/2024/043

Order No.: 133 (GVA/2025)

Date: 26 November 2025

Original: English

Before: Judge Sun Xiangzhuang

Registry: Geneva

Registrar: Liliana López Bello

SAMANDAROV

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**ORDER
ON CASE MANAGEMENT**

Counsel for Applicant:

Self-represented

Counsel for Respondent:

Jérôme Blanchard, HRLU/UNOG

Introduction

1. The Applicant, a staff member of the Office of the United Nations High Commissioner for Human Rights (“OHCHR”), contests the decision not to select him for the position of Humanitarian Affairs Officer, P-3, Office for the Coordination of Humanitarian Affairs (“OCHA”) advertised under Job Opening No. 190993 (“JO 190993”).
2. On 11 December 2024, the Respondent filed his reply, submitting that the application has no merit as the hiring manager lawfully decided to select a candidate from the roster.
3. On 18 December 2025, the Applicant filed a motion for confidentiality.
4. On 20 January 2025, the Tribunal instructed the Applicant to file a rejoinder and the Respondent to file a response to the Applicant’s motion on confidentiality. Additionally, the Tribunal instructed the Parties to explore resolving the dispute amicably and to revert to the Tribunal in this respect.
5. On 29 January 2025, the Applicant filed his rejoinder.
6. On 4 February 2025, the Respondent filed his response to the Applicant’s motion on confidentiality.
7. On 11 February 2025, the parties filed a joint submission informing the Tribunal that there was no possibility of an informal settlement in this matter at that time.
8. On 22 October 2025, the Applicant filed a motion for production of evidence.
9. On 23 October 2025, the Tribunal instructed the Respondent to file a response to the Applicant’s motion for production of evidence.
10. On 6 November 2025, the Respondent filed his response to the Applicant’s motion for production of evidence.

Consideration

Motion on confidentiality

11. The Applicant requests that the Tribunal redact any sensitive information from the judgment and any other public documents produced by the Tribunal, including his name, that would allow the public to identify him. In his motion, the Applicant submits, *inter alia*, that public knowledge of his role at the United Nations would pose a risk to him.

12. In response, the Respondent, in essence, submits that the request is without merit. The Respondent points out that the Applicant's name is displayed in the OHCHR directory, and that a simple internet search leads to accessible information that allows the public to identify the Applicant and his connection with the Organization.

13. The Tribunal notes that the Appeals Tribunal in *Monasebian* 2024-UNAT-1476, para. 46, recognized that there have been increasing calls for greater privacy protections for individuals and parties in judgments in many jurisdictions, including in the Dispute and Appeals Tribunals, given increased access to judgments online, and that requests for anonymity must be balanced against the interests of transparency and accountability. The Appeals Tribunal has previously found that personal embarrassment and discomfort are not sufficient grounds for redaction, with redaction only to occur in the most sensitive of cases. What is required is that an individual put up sufficient material to show that there is a need for anonymization which justifies a departure from the ordinary rule.

14. The Tribunal notes that the Applicant's full name is displayed in the OHCHR directory. Further, in previous judgments of the Dispute and Appeals Tribunal, the Applicant's work history with OHCHR is presented and has therefore already been in the public domain for various years. On the written orders and judgments of the Tribunal, which are published on its website, only the surname of applicants is stated. The Tribunal has also reviewed the Applicant's motion and considers that the impact of displaying the Applicant's name of the Tribunal's written order(s) and

judgment(s) is inconsequential in the different contexts presented by the Applicant. Therefore, his request for confidentiality is rejected.

Motion on production of evidence

15. The Applicant requests the Tribunal to order production of evidence that is in the possession of the Respondent “for a fair and expeditious disposal of the [case]”. In particular, the Applicant requests a “[c]opy of the selection decision, which is fully compliant with relevant provisions of the administrative instruction on staff selection system.”

16. In response, the Respondent contends that the Applicant has not provided any pertinent reasons in support of his motion. The Respondent submits that the Tribunal already has all the documents necessary to assess the contested decision. The Respondent states that the record submitted with the reply demonstrates that the Administration properly exercised its discretion to select from the roster. The Applicant was not a rostered candidate, and his candidacy was not assessed further. The Respondent adds that the fact that the selection memo in Annex 3 to the Respondent’s reply lacks a formal date and a letterhead is thus irrelevant. Further, the absence of a date or a letterhead does not automatically render evidence unreliable, and the probative value of evidence should be assessed in the context of the complete record whose authenticity is not disputed. The Respondent thus submits that the production of the selection decision is not warranted and would not assist in the expeditious disposal of the proceedings.

17. Having examined the parties’ submissions, the Tribunal does not see any relevance in the documents requested by the Applicant. The instant case is limited to reviewing whether the hiring manager lawfully exercised his discretion in selecting a candidate from the roster. In this regard, the Tribunal notes that it is undisputed that a rostered candidate was selected for JO 190993. The Applicant was not on the roster, and he was not further considered in the selection process. The Tribunal notes that the Respondent has already provided a redacted selection memo in Annex 3 of the Respondent’s reply. Therefore, the unredacted selection decision is of no relevance or probative value to assess the lawfulness of the

contested decision. Therefore, the Applicant's motion on production of evidence is rejected.

Closing statements

18. Pursuant to art 19.1 of its Rules of Procedure, the Tribunal will order the parties to file closing statements.

Conclusion

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

- a. The Applicant's motion for confidentiality is rejected;
- b. The Applicant's motion on production of evidence is rejected.
- c. By **Monday, 8 December 2025**, the Applicant is to file his closing statement, which is to be five (5) pages maximum, using font Times New Roman, font size 12 and 1.5 line spacing. The closing statement is solely to be based on previously filed pleadings and evidence, and no new pleadings or evidence are allowed at this stage;
- d. By **Friday, 12 December 2025**, the Respondent is to file his closing statement responding to the Applicant's closing statement at a maximum length of five (5) pages, using font Times New Roman, font size 12 and 1.5 line spacing. The closing statement is solely to be based on previously filed pleadings and evidence, and no new pleadings or evidence are allowed at this stage;
- e. By **Tuesday, 16 December 2025**, the Applicant may file a statement of any final observations responding to the Respondent's closing statement. This statement of final observations by the Applicant must be a maximum of two (2) pages, using font Times New Roman, font size 12 and 1.5 line spacing. It must be solely based on previously filed pleadings and evidence, and no new pleadings or evidence are allowed at this stage; and

f. Unless otherwise ordered on receipt of the latest of the aforementioned statements or at the expiration of the provided time limits, the Tribunal will adjudicate on the matter and deliver Judgment based on the documentation on record as soon as possible.

(Signed)

Judge Sun Xiangzhuang

Dated this 26th day of November 2025

Entered in the Register on this 26th day of November 2025

(Signed)

Liliana López Bello, Registrar, Geneva