



Before: Judge Alexander W. Hunter, Jr.

Registry: New York

Registrar: Nerea Suero Fontecha

NOUINOU

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

ORDER

MOTION FOR CORRECTION

Counsel for Applicant:

Self-represented

Counsel for Respondent:

Alan Gutman ALD/OHR, UN Secretariat

Introduction

1. On 27 November 2018, the Applicant, a former Programme Management Assistant at the G-5 level, step 6, in the Office for Counter-Terrorism, filed an application on the merits contesting the decision to not extend her short-term appointment beyond its expiration date.

2. On 24 January 2019, the Applicant filed an “urgent and immediate motion to stop OCT [t]reatment of the Applicant as a dead staff member”. The Applicant requested the Tribunal to order (a) that the Respondent provide the Tribunal with all the paperwork signed on behalf of the Applicant without her authorization, and (b) that the Applicant be allowed access to her personnel file.

3. On the same date, the case was reassigned to the undersigned judge.

4. On 29 January 2019, as directed by the Tribunal, the Respondent filed his response to the 24 January 2019 motion.

5. On 30 January 2019, by Order No. 20 (NY/2019), the Tribunal rejected the Applicant’s motion for interim measures.

6. On 30 January 2019, the Applicant filed a motion for “correction to Respondent’s [m]isleading [r]esponse to [the] Applicant’s [m]otion for [i]nterim [m]easures and [r]equest to amend Order No.: 20/NY/2019”, requesting that the Tribunal reconsider Order No. 20 (NY/2019) and call a case management discussion.

Consideration

7. In the present motion, the Applicant states that in his response to the motion for interim measures, the Respondent misled the Tribunal.

8. With respect to the Applicant's request for disclosure of documents by the Respondent without the Applicant's authorization, the Applicant reiterates that she was not given the opportunity to provide an alternative bank account for the disbursement of her final entitlements.

9. With respect to the request for access to the Applicant's personnel file, the Applicant now avers that she contacted the then Office of Human Resources Management to seek access to her personnel file but did not receive a response. The Applicant provides copies of two emails sent to the Administration requesting access to her file in December 2018.

10. The Tribunal notes that the Applicant's motion constitutes a sur-reply whereby she seeks to reargue her case by bringing up new matters. However, the Applicant fails to show any exceptional circumstances why these materials were not promptly submitted with the original motion.

11. Having reviewed the Applicant's submissions, the Tribunal finds no basis to revisit this matter. Furthermore, the Tribunal finds no reason to call a case management discussion at this point.

IT IS ORDERED THAT:

12. The motion is rejected.

13. In the interest of justice and to ensure the efficient management of the case, the Applicant is directed to seek leave of the Tribunal before filing any further motions and documents in this case.

(Signed)

Judge Alexander W. Hunter, Jr.

Dated this 31st day of January 2019