

UNDT/2012/136, Rahman

UNAT Held or UNDT Pronouncements

Impartiality of a judge is determined by two tests, subjective and objective. (Campos). The UNDT considered that the request for recusal was based on mere fact and no such conflict of interest or professional relationship existed between the honourable Judge and the two Thai nationals named.

Decision Contested or Judgment/Order Appealed

The Applicant requested the recusal of Judge Jean-Francois Cousin from these two cases, alleging that his role as an advisor to the Supreme Administrative Court of Thailand from 2002-2003 could potentially be a conflict of interest, as the two cases focus on allegations of wrongdoing and retaliation by the Applicant against two former Thai politicians.

Legal Principle(s)

N/A

Outcome

Dismissed on merits

Outcome Extra Text

The request for recusal was rejected.

Full judgment

[Full judgment](#)

Applicants/Appellants

Rahman

Entity

UNCTAD

Case Number(s)

UNDT/GVA/2012/034

UNDT/GVA/2012/046

Tribunal

UNDT

Registry

Nairobi

Date of Judgement

11 Sep 2012

Duty Judge

Judge Boolell

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Judges

Conflict of interest

Recusal

Applicable Law

UNDT RoP

- Article 27

Related Judgments and Orders

UNDT/2009/005