

2015-UNAT-531, Rangel

UNAT Held or UNDT Pronouncements

UNAT considered seven motions submitted by Ms Rangel prior to a judgment on the merits. On the two Motions for Interim Relief, UNAT held that Ms Rangel did not seek an interim measure for temporary relief consistent with the pronouncements of the ICJ Conciliation Committee, but rather she sought interim relief in cases where the Committee had dismissed her applications. UNAT held that since one of the two cumulative conditions under Article 9(4) of the UNAT Statute was not fulfilled, it did not need to further consider the second condition. UNAT denied the requests for interim relief. On the Motion for Transmission of Important Information, UNAT dismissed the motion as Ms. Rangel failed to demonstrate exceptional circumstances. On the Motion of Transmission of Information and her request for interim measures regarding her safety, UNAT held that since one of the two cumulative considerations under Article 9(4) of the UNAT Statute was not fulfilled, it did not need to further consider the second condition and dismissed the application. On the Motions for Confidentiality, UNAT held that there was no reason for a confidential filing of the documents in question and lifted the confidentiality of the document containing declarations of witnesses who testified to the 2 December 2014 incident. UNAT instructed the Registrar of UNAT to strike the document containing declarations of former staff members from the record. UNAT dismissed all seven motions under consideration.

Decision Contested or Judgment/Order Appealed

ICJ decision: Ms Rangel challenged a number of decisions, including the imposition of a disciplinary measure of separation from service with compensation in lieu of notice.

Legal Principle(s)

The granting of interim measures is subject to strict requirements. Interim measures for temporary relief must be consistent with the decision of the first instance body. The purpose of anonymity is to protect the privacy of victims of misconduct and also to ensure their safety.

Outcome

Appeal granted

Outcome Extra Text

Only financial compensation.

Full judgment

[Full judgment](#)

Applicants/Appellants

Rangel

Entity

ICJ

Case Number(s)

2014-611

2014-674

2015-689

Tribunal

UNAT

Registry

New York

Date of Judgement

2 Jul 2015

Language of Judgment

English

French

Issuance Type

Judgment

Categories/Subcategories

Interlocutory or interim appeal / Appeal of UNDT order to UNAT

Interim measure

Applicable Law

Other UN issuances (guidelines, policies etc.)

- UNAT Practice Direction No.1/Section II.A.3

UNAT RoP

- Article 31.1

UNAT Statute

- Article 9.4

Related Judgments and Orders

2014-UNAT-480