

UNITED NATIONS DISPUTE TRIBUNAL

Introduction

1. The Applicant filed two applications with the New York Registry of the

Judge Hunter, Jr.'s response

7. In his comments dated 14 October 2016, Judge Hunter, Jr. noted that the Applicant had filed his request for postponement of the hearing only one day prior to it, namely on 5 October 2016. He further stressed that there had been a reasonable prospect of concluding the hearing on 6 October 2016, and that if additional matters had arisen at the hearing, necessary arrangements would have been made to extend it. He stressed also that "although the current period of [his] deployment end[ed] on 14 October 2016, this [did] not preclude [him] from disposing of these two cases during [his] next deployment cycle".

Consideration

8. The Tribunal's Rules of Procedure provide in art. 28 (Recusal):

1. A judge of the Dispute Tribunal who has or appears to have a conflict of interest as defined in article 27 of the rules of procedure shall recuse himself or herself from the case and shall so inform the President.

2. A party may make a reasoned request for the recusal of a judge on the grounds of a conflict of interest to the President of the Dispute Tribunal, who, after seeking comments from the judge, shall decide on the request and shall inform the party of the decision in writing. A request for recusal of the President shall be referred to a three-judge panel for decision.

3. The Registrar shall communicate the decision to the parties concerned.

9. Article 27 (Conflict of interest) of said ruled further provides:

1. The term "conflict of interest" means any factor that may impair or reasonably give the appearance of impairing the ability of a judge to independently and impartially adjudicate a case assigned to him or her.

Case Nos.: UNDT/NY/2015/035

UNDT/NY/2015/062

Order No. 267 (NY/2016)

Decision

17.