
Case No.: UNDT/NY/2015/035
UNDT/NY/2015/062

UNITED NATIONS DISPUTE TRIBUNAL

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instructed to serve as a juror before the New York Supreme Court on 12 and 13

10. On Tuesday 10 January 2017, the Applicant filed two motions, one in response to Order No. 2 (NY/2017) indicating that he will not be required to provide further jury services and a Request to the President of the Dispute Tribunal for Recusal of the Case Judge.

11. On 11 January 2017, in Order No. 5 (NY/2017), the President of the Tribunal rejected the motion for recusal and indicated that the hearing scheduled for Thursday, 12 January 2017 is maintained. In the Order the President stated:

while the Applicant may be in disagreement with [such] case management decisions by Judge Hunter, Jr., they are not susceptible to demonstrate any conflict of interest on behalf of the latter respect the Tribunal recalls what it stated in Order No 267 (NY/2016) namely that

impartiality or independence or otherwise lead to the perception by a reasonably and impartial observer that his participation in the adjudication of the matter would be inappropriate.

[T]he Tribunal wishes to underline that it was inappropriate for the Applicant to have filed the present request for recusal only on 10 January 2017, almost at close of business, while the matter had been set down for a hearing in the morning of 12 January 2017. It is noted that the matters complained of had been well known to the Applicant for some time. In the future, such conduct may be regarded as an illegitimate attempt by the Applicant to interfere with the smooth running of the Tribunal the administration of justice, and may be found to be vexatious.

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Order No. 6 (NY/2017)

17. Mr. Ssekandi will testify first as an accommodation of the time difference between New York and Uganda, from where the witness is remotely testifying.

(Signed)

Judge Alexander W. Hunter, Jr.

Dated this 11th day of January 2017