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# UNITED NATIONS APPEALS TRIBUNAL TRIBUNAL D'APPEL DES NATIONS UNIES

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Case No. 2010-167

**Kapsou  
(Applicant)**

**v.**

**Secretary-General of the United Nations  
(Respondent)**

**ORDER No. 198 (2014)**

1. On 10 July 2014, Ms. Ellie Kapsou filed a “motion for redacting my name from Judgment No. 2011-UNAT-170 and removal of the entire URL [www.un.org/en/oaj/files/UNAT/judgments/2011-UNAT-170](http://www.un.org/en/oaj/files/UNAT/judgments/2011-UNAT-170). pdf from the Internet”. Ms. Kapsou states that the publication of the judgment of the United Nations Appeals Tribunal (Appeals Tribunal) on the website of the Office of Administration of Justice (OAJ) has caused her “harm and distress” and has resulted in her still being unemployed “because any prospective employer can simply Google search [her] name or has web search[...] [her] name from any other search engine and found this URL posting by [the Appeals Tribunal] with personal details and a Ruling which doesn’t even reflect the truth”.
2. On 18 July 2014, the Secretary-General filed comments on Ms. Kapsou’s motion. He notes the common practice of the United Nations Dispute Tribunal (UNDT) and the Appeals Tribunal, as well as legal systems generally, to make public the identities of litigants absent countervailing considerations. The Secretary-General asks the Appeals Tribunal “to take these precedents into account when considering the Appellant’s Motion”.
3. Ms. Kapsou’s motion is denied for the following reasons. First, the motion is late. Ms. Kapsou did not seek confidentiality before the UNDT or at the time her case was on appeal. Now that the Appeals Tribunal Judgment has been published for almost three years, it is unlikely that confidentiality can be achieved or implemented. Second,

Ms. Kapsou’s motion does not have any merit. As we stated in *Pirnea*,<sup>1</sup> this Tribunal has determined that “[t]he names of litigants are routinely included in judgments of the internal justice system of the United Nations in the interests of transparency and, indeed, accountability”. Ms. Kapsou has not shown any “greater need than any other litigant for confidentiality”. If confidentiality attached to the staff member’s identity in each case, there would be no transparency regarding the operations of the Organization, which would be contrary to one of the General Assembly’s purposes and goals for the internal justice system. Moreover, any discomfort she may have with the publication of the Judgment is not grounds to grant her motion.

IT IS HEREBY ORDERED that Ms. Kapsou’s motion for redaction of her name and removal of Judgment No. 2010-UNAT-170 from OAJ’s website IS DENIED.

Original and Authoritative Version: English

Dated this 10<sup>th</sup> day of October 2014 in  
New York, United States

(Signed)  
Judge Rosalyn Chapman

Entered in the Register on this 10<sup>th</sup> day of  
October 2014 in New York, United States.

(Signed)  
Weicheng Lin, Registrar

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<sup>1</sup> *Pirnea v. Secretary-General of the United Nations*, Judgment No. 2014-UNAT-456, para. 20 (internal citations omitted).