



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

Case No. 20

**Abboud
(Respondent/Applicant)**

v.

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

JUDGMENT

Judge Mark P. Painter, Presiding
Judge Sophia Adinyira
Judge Kamaljit Singh Garewal

Case No.: 2011-UNAT-103

11 March 2011

By: Weicheng Lin

Counsel for

Counsel for

THE

programmes for possible action to enforce accountability.” We hold that the section means exactly what it says, which is exactly what the trial court did.

7. On the remaining issue, the only controversy is that the Secretary-General contends that the trial court had no authority to direct the Secretary-General to do anything. The trial court’s order in the Judgment simply refers the case to the Secretary-General under Article 10(8), which is clearly proper.

8. The parties argue much about whether the trial court has the power of contempt. But that issue is obviously not before us in this case, because the trial judge neither instituted any such proceedings nor found anyone in contempt. The trial court’s musings on whether it has the power are simply that—surplusage not relevant to any order issued by the court.

9. The order itself, contained in three paragraph numbers at the end of the trial court’s decision, is affirmed in its entirety.

Judgment

10. We hold that all language in the trial court's Judgment No. UNDT/2010/030 is *obiter dictum* or surplusage, except for the order itself, which is affirmed in its entirety.

Original and Authoritative Version: English

Dated this 11th day of March 2011 in New York, United States.

(Signed)

Judge Painter, Presiding

(Signed)

Judge Adinyira

(Signed)

Judge Garewal

Entered in the Register on this 19th day of April 2011 in New York, United States.

(Signed)

Weicheng Lin, Registrar