



Partie's Summary

Ms. Oummih's Motion for Interim Relief

- Ms. Oummih states that the Appeals Tribunal find the portion of the 1st, 2nd Judgment ordering the OAJ Executive Director to take action on Ms. Oummih's complaint against the OS A Chief to be immediately executable unless a stay of that portion is sought and granted. She further seeks any other Order which would preserve her right to have an investigation of her complaint conducted without delay and in accordance with S27SGB7 & 7*, including a referral of her complaint to the Office of Internal Oversight Services (IOS) for a prompt investigation.

; Ms. Oummih contends that it is more likely than not that only the granting of the interim measure requested, if the interim order of the part of the 1st, 2nd Judgment ordering a new investigation in accordance with S27SGB7 & 7*, can prevent irreparable harm. She accordingly ordered by the 1st, 2nd will no longer be an effective remedy by the time the 1st, 2nd Judgment is confirmed on appeal.

+ The Secretary-General has not granted a stay of proceedings and it is therefore content of court for the Secretary-General not to execute the portion of the 1st, 2nd Judgment ordering a new investigation in accordance with S27SGB7 & 7*.

(Ms. Oummih's other cases before the 1st, 2nd have been indefinitely postponed on the ground that the 1st, 2nd found that the outcome of the investigation would bear on its decision whether the non-renewal of her appointment is a retaliatory act.

The Secretary-General's Observations

(Ms. Oummih's purportedly seeking interim relief under Article 45 of the Statute of the

succeed on appeal such harassment could be cured by the remedy deemed appropriate by the Appeals Tribunal.

Finally, the Appeals Tribunal finds no merit in Ms. Ouzou's claim that the Secretary-General's failure to execute the 1992 order constitutes contempt of court. Article 45 of the Statute of the Appeals Tribunal unequivocally provides that the filing of an appeal suspends the execution of the contested judgment. The execution of the 1992 Judgment is therefore fully suspended and Ms. Ouzou's allegations of contempt and bad faith on the part of the Secretary-General have no merit.

Order

For the foregoing reasons, the Ms. Ouzou's Motion