

JAY W. POZENEL

201 Cleveland Drive
Croton on Hudson, NY 10520-2412
+1 (646) 283-3759 (mobile)
pozenel@protonmail.com

OVERVIEW

International lawyer with over 30 years' experience protecting the legal interests of the United Nations in matters of both public and private international law. Seasoned arbitration practitioner, having represented or having directed the representation of the UN in numerous arbitrations involving disputes arising out of international contracts or other disputes of a private law nature arising from UN operations. Expert in overseeing, writing, negotiating, and concluding hundreds of international contracts for goods, services, information and communications technology, construction works, and real property for the UN's worldwide operations. Proficient in administrative law, having advised UN senior management on the UN's administrative and legal framework and having participated in or having directed litigation in hundreds of UN administrative tribunal proceedings for the resolution of staff appeals of administrative and disciplinary measures. Knowledgeable in pension investment and administration, with over 15 years' service on the UN Joint Staff Pension Board of the UN's system-wide, defined-benefit plan. Experienced with collective bargaining and with representing public and private labor unions in interest and grievance arbitrations.

EXPERIENCE

Sept. 2023 - Present **SOLE PRACTITIONER – ARBITRATOR**
Attorney at law and independent arbitrator

May 1992 - August 2022 **UNITED NATIONS OFFICE OF LEGAL AFFAIRS**
405 East 42nd Street, New York, NY 10017 USA

Dec. 2017 - August 2022 **Director, General Legal Division**

- Directed 33 lawyers and 7 support staff in providing legal support, services, and advice to senior management and to UN organs, funds, and programmes by:
 - Asserting the status and privileges and immunities of the UN under its Charter and international conventions to ensure effective operations and activities, and interpreting and applying mandates of UN Principal Organs (e.g., the General Assembly, Security Council, International Court of Justice, etc.) to UN operations
 - Interpreting and applying the UN legal framework arising from the UN Charter, the UN Staff and Financial Regulations and Rules, Rules of Procedure of UN Principal Organs, and administrative issuances to UN operations and activities
 - Resolving disputes from contracts to which the UN is a party or other private law disputes through mediation or by arbitration under the UNCITRAL Rules
 - Writing, negotiating, concluding, and interpreting and applying international contracts for goods, services, information and communications technology, construction works, and real property for the UN's worldwide operations
 - Advising on and writing, negotiating, and concluding agreements for the UN's operational and technical assistance activities, including in the economic, social, and humanitarian fields, and legal arrangements for voluntary funding the activities
 - Ensuring accountability of UN personnel credibly alleged to have engaged in criminal conduct by referrals to national authorities, and coordinating the UN's response to requests by such national authorities for cooperation in related investigations or criminal or other proceedings

EXPERIENCE (continued)

May 1992 - August 2022 **LAWYER, UNITED NATIONS OFFICE OF LEGAL AFFAIRS (continued)**

July 2009 - Nov. 2017 **Principal Legal Officer (Deputy Director), General Legal Division**

- Managed 21 lawyers and 4 support staff in providing legal support, services, and advice, focusing on matters such as:
 - Writing, negotiating, and concluding international contracts and issues arising from the administration of the procurement of goods, services, information and communications technology, construction works, and real property for the UN's worldwide operations
 - Resolving disputes amicably or in arbitral proceedings under the UNCITRAL Arbitration Rules with commercial suppliers and other third parties arising from UN peace, humanitarian activities, or development operations
 - Defending the Secretary-General before the UN's internal administrative tribunals and interpreting and applying the UN's legal framework to the administration of the UN and its programmes and activities

March 2003 - June 2009 **Senior Legal Officer, General Legal Division**

- Managed a team of 8 contract lawyers in the General Legal Division in providing legal support, services, and advice for UN procurement activities and claims and arbitrations arising therefrom. Provided oversight and legal assistance for other activities of the Division in providing legal support and assistance for the UN's peace, humanitarian and technical assistance operations and activities. Advised on the legal aspects of the investment of the billions of dollars of assets of the UN Joint Staff Pension Fund

May 1992 - Feb. 2003 **Legal Officer, General Legal Division**

- Provided legal services, support, representation, and advice for the UN's peace and humanitarian operations, as well as its worldwide development and technical assistance programs by interpreting and applying international law, national laws, and U.N. resolutions, regulations and rules to UN operations and activities

OTHER UN ACTIVITIES AND ACCOMPLISHMENTS:

- 2001-2018, Member of the 33-Member Board of the UN Joint Staff Pension Fund; elected Chair of the Board's 55th Session in 2008
- Modernized and rewrote the UN General Conditions of Contracts and accompanying guidance notes all used by the UN Secretariat and UN System organizations for their billions of dollars of annual procurement actions
- 1998-2004 and 2006-2010, Member UN Headquarters' Committee on Contracts, reviewing proposed awards of substantial contracts for UN worldwide operations
- Developed agreements and protocols for the UN's acceptance of voluntary contributions from private and public foundations, including arrangements for the acceptance of Ted Turner's pledged gift of \$1 billion to the UN

EXPERIENCE (continued)

Oct. 1991 - **ASSOCIATE ATTORNEY**
May 1992 Kaplan and Lenow, Newton, MA, USA

- Advised public and private sector unions on applicable federal and state labor laws, rules, and regulations,
- Negotiated and advised public and private sector unions on collective bargaining agreements
- Represented unions in interest and grievance arbitrations and before federal and state courts and agencies

Jan. 1984 - **SENIOR BUSINESS DEVELOPMENT ANALYST**
August 1988 Wang Laboratories, Lowell, MA, USA

- Developed market-research and direct-marketing programs for identifying potential customers using a corporate database of some 1.7 million businesses
- Managed direct-marketing operations for home and field-office locations
- Conducted marketing seminars and prepared marketing guides for the company's worldwide sales force

EDUCATION

1991 **JURIS DOCTOR**
Northeastern University School of Law, Boston, MA, USA

1983 **MASTER OF PUBLIC ADMINISTRATION** with emphasis in Energy and
Environmental Management
University of New Mexico, NM, USA

1982 **BACHELOR OF ARTS** with honors in English and Comparative Literature
Hobart and William Smith Colleges, Geneva, NY, USA

LANGUAGES

- English, fluent (native language)
- Spanish, proficient (passed UN language proficiency exam, 1994)
- French, confident
- Italian, confident
- Chinese (Mandarin), basic

BAR ADMISSIONS

- Massachusetts, 1991
- New York (pending)

PROFESSIONAL ASSOCIATIONS

- American Bar Association, Section on International Law
- American Society of International Law
- Association of Former International Civil Servants

PUBLICATIONS

- *Institutional Preferences for the Management of New Mexico Water Resources*, Timothy J. DeYoung and Jay Pozenel, Proceedings of the Western Social Sciences Association, Albuquerque, NM, USA, April 27, 1983

REFERENCES

- Anna Joubin-Bret, Director
Secretariat of the UN Conference on International Trade Law
UN Office of Legal Affairs, International Trade Law Division
Vienna International Centre
P.O. Box 500
A-1400 Vienna, Austria
e-mail: anna.joubin-bret@un.org; telephone: +43 (1) 26060-4060 or 4061
- Stephen Mathias, Assistant Secretary-General for Legal Affairs
Office of Legal Affairs, Room S-3624
United Nations, 405 East 42nd Street, New York, NY 10017
e-mail: mathiass@un.org; telephone: +1 (212) 963-5528
- Catherine Pollard, Under-Secretary-General for Management Strategy, Policy and Compliance, Room S-3218
United Nations, 405 East 42nd Street, New York, NY 10017
e-mail: pollardc@un.org; telephone: +1 (212) 963-8081
- Chandramouli Ramanathan, Assistant Secretary-General and Controller
Office of Programme Planning, Finance, and Budget, Room S-2111
United Nations, 405 East 42nd Street, New York, NY 10017
e-mail: ramanathanc@un.org; telephone: +1 (212) 963-8260