

Introduction and Procedural History

1. The Applicant joined the Office for Coordination of Humanitarian Affairs (OCHA) as a National Professional Officer in Zimbabwe in 2007. On 11 July 2010, OCHA deployed him to Afghanistan on a one-year fixed-term appointment as a Humanitarian Affairs Officer at the P3 level. His appointment was extended through 20 March 2012, and not renewed thereafter.
2. On 11 May 2012, the Applicant filed the present Application with the United Nations Dispute Tribunal (UNDT) in New York challenging OCHA's decision to separate him from service on grounds of unsatisfactory performance.
3. On 18 June 2012, the Respondent filed his Reply to the Application.
4. The UNDT in New York issued Order No. 281 (NY/2013) transferring this case to the UNDT in Nairobi.
5. On 28 November 2013, the UNDT in Nairobi issued Order No. 258 (NBI/2013) advising the Applicant that representation by counsel would assist him and the Tribunal in the conduct and management of this case. To this end, the Tribunal directed the Registry to serve the Order on the Office of Staff Legal Assistance (OSLA) to facilitate the process.
6. On 3 December 2013, the Applicant formally enlisted the services of OSLA.
7. On 13 December 2013, counsel for the Applicant filed the subject Motion of this decision for leave to amend the Application.
8. The Motion was served on the Respondent on 17 December 2013. On 23 December 2013, the Respondent filed his submissions in response to the Motion.

Submissions

9. Counsel for the Applicant submits that an amended application would be in the interest of all parties to this Application, as it will clarify the scope and issues in this case and so assist both the Tribunal and the Respondent.

10. Counsel also submits that the Applicant's previous submissions have not been properly framed as he has only now secured representation by a lawyer. An amended application would place the Applicant in a position where he can better argue his case for the purposes of a fair trial.

11. The Respondent submits that the Motion should be dismissed as the "rules of procedure and n rg 0.92sipondeded71 1-50(t)-2388.(/)] TJn1iof theDwtte Tribunalaldeso n

15.

Case No. UNDT/NBI/2013/074

Order No.: 005 (NBI/2014)

(signed)

Judge Vinod Boolell

Dated this 15th day of January 2014

Entered in the Register on this 15th day of January 2014 on 15th day of January 2014 (signed)