
UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NBI/2013/085
Order No.: 229 (NBI/2015)
Date: 02 July 2015
Original: English

Before: Judge Vinod Boolell
Registry: Nairobi
Registrar: Abena Kwakye-Berko

AWE

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**ORDER ON PRODUCTION OF
EVIDENCE**

Counsel for the Applicant:
Self-represented

Counsel for the Respondent:
Stephen Margetts, ALS/OHRM
Sarahi Lim Baró, ALS/OHRM

Introduction

1. The Applicant is a staff member of the United Nations Assistance Mission for Iraq (UNAMI). He filed the current Application on 20 November 2013 challenging: (a) the decision to change his duty station from Baghdad to Kuwait; and (b) the implied decision to unilaterally and arbitrarily breach the terms of his appointment as contained in his letter of offer of 7 October 2012.

2. The Respondent submitted a Reply on 20 December 2013 in which he asserted, *inter alia*, that the Application is not receivable *ratione temporis* because the Applicant failed to submit his request for management evaluation within the 60-day statutory deadline provided under staff rule 11.2(c). Accordingly, the Respondent asserts that the Application is time-barred and should be dismissed.

3. Pursuant to Order Nos. 011 (NBI/2014) and 015 (NBI/2014), the Applicant filed his comments on the receivability issue on 19 February 2014.

4. On 11 March 2014, the Applicant filed a Motion for Protective Measures and on 19 March, the Respondent filed a response to this Motion. On 24 March, the Applicant sought leave of the Tribunal to respond to the Respondent's 19 March response.

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