



ATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NBI/2021/101

Order No.: 259(NBI/2020)

Date: 9 Decembe2021

Original: English

Before: JudgeMargret Tibulya

Registry: Nairobi

Registrar: Abena KwakyeBerko

BARBER

v.

SECRETARY-GENERAL  
OF THE UNITED NATIONS

ORDER ON THE RESPONDENT'S

## Introduction

1. The Applicant is a former staff member who served as a Close Protection Officer in the United Nations Support Office in Somalia (“UNSSO”) in Mogadishu, Somalia. On 30 November 2021, he filed an application seeking the rescission of the 15 January 2021 decision of the Secretary of the Advisory Board on Compensation Claims (“ABCC”).<sup>1</sup>
2. The deadline for submission of the reply is 31 December 2021.
3. On 8 December 2021, the Respondent filed a motion requesting the Tribunal to address receivability as a preliminary matter pursuant to article 19 of the UNDT Rules of Procedure. In the said motion, the Respondent requests the Tribunal (i) dismiss the application as not receivable; and (ii) suspend the Respondent’s deadline to file a reply pending the Dispute Tribunal’s determination of this motion.
4. The case has been assigned to the present Judge solely for the purpose of a ruling on the motion.

## ORDERS

5. The Respondent’s motion is partially granted.
6. The deadline for the reply is suspended until the case is assigned to a judge who will rule on whether receivability will be determined as a preliminary matter.

(Signed)

Entered in the Register on this 9<sup>th</sup> day of December 2021

(Signed)

Abena KwakyēBerko, Registrar, Nairobi