
UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NBI/2023/075
Order No.: 156

Introduction and summary of the relevant facts

1. The Applicant is a Driver with the United Nations High Commissioner for Refugees (“UNHCR”) based in

He was informed of that the non-renewal was recommended based on the following Policies:

a.

October 2023 as directed.

15. On 5 October 2023, Counsel from the Office of Staff Legal Assistance (“OSLA”) informed the Tribunal that OSLA was now representing the Applicant and sought leave to file additional submissions.

16. On the same date, the parties were informed that the Tribunal had granted the Applicant’s motion to file further submissions and invited the Respondent to file a response to the Applicant’s motion by 10.00 a.m. (Nairobi time) on Friday, 6 October 2023

17. In response to the Tribunal’s communication of 5 October 2023, UNHCR’s Senior Legal Adviser, Deputy Head, Legal Affairs Service, informed the Registry as follows:

... The Respondent acknowledges receipt of your e-mail informing us that [the] Judge [] has granted the Applicant’s motion to file further submissions and directing the Respondent to file a response to the Applicant’s motion by tomorrow morning, 10.00 am Nairobi time (which is 9am Geneva time).

The Respondent was served with the Applicant’s motion and further submissions today at 15.45. Your below e-mail was received at 17.39 Geneva time, (18.39 Yemen time), and tomorrow is not a working day in Yemen. It is simply not feasible for the Respondent to provide any considered response to the Applicant’s submission in the time allocated.

Nevertheless, in light of the Applicant’s further submissions, the Respondent agrees to voluntarily suspend [the Applicant’s] separation pending the outcome of his request for management evaluation.

Conclusion

18. Considering the Respondent’s undertaking to suspend the Applicant’s separation pending the outcome of his request for management evaluation, the Tribunal finds that Applicant has been granted the relief he seeks, and the application has been

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