

Case No. 2019-1277

Igunda
(Appellant)

Order No. !"#\$%&)

1. On 21 June 2019, the United Nations Dispute Tribunal (UNDT) in Nairobi issued

.. Article 2(1) of the Appeals Tribunal's Statute provides

"In exceptional circumstances, and where the Appeals Tribunal determines that the facts are likely to be established with documentary evidence, including written testimony, it may receive such additional evidence if, that is in the interest of justice and the efficient and expeditious resolution of the proceedings. The evidence under this paragraph shall not include evidence that was known to either party and should have been presented at the level of the Dispute Tribunal.

1. This Tribunal dismisses Mr. Kundas's motion because it does not meet the requirements of the law. Mr. Kundas fails to demonstrate the exceptional circumstances that would warrant the introduction of the letter. Additionally, he fails to provide an explanation as to how the letter would be relevant to the appeal.

7. We do not find that it would be in the interest of justice and the efficient and expeditious resolution of the appeals proceedings to adduce this document into evidence. Thus, Mr. Kundas's motion must be dismissed.

IT-5 (U) - 2. 783731 d