



Introduction

1. The Applicant is a staff member of the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA). He is contesting the “non-payment of months of salary without explanation or justification”.

2. On 13 January 2016, the Applicant’s Counsel submitted an Application on his behalf with the United Nations Dispute Tribunal (UNDT) in Nairobi via the Nairobi Registry’s email account. Counsel wrote the following message to the Registry:

Please file attached Application of [the Applicant], today, January 13, 2016. Please kindly confirm receipt and access (emphasis in original).

Please note that the UNDT website instructs/permits filing by email attachment (empha[.] TJ ET Q q BT1 0 8ngBT /9981 0[(o)-21(r)-7(i)37(g)-20(i)17(

3. The Nairobi Registry created an account in the Court Case Management System (“CCMS”) on behalf of the Applicant and uploaded the Application that was attached to Counsel’s email.

Considerations

4. The Tribunal has taken note of the instruction on the website of the Office of Administration of Justice, which Counsel has gone to great lengths to quote in her email of 13 January 2016.

5. Pursuant to Practice Direction No. 4, which was adopted by the Judges of the UNDT on 27 April 2012, “all applications shall be submitted electronically through the e-Filing portal unless the filing party does not have access to it”.

6. In A/66/275 (Administration of Justice at the United Nations), the Secretary-General advised the General Assembly that the launching on 6 July 2011 of the electronic filing system of the Office of Administration of Justice represented a “major milestone”, which includes the capacity to enable staff members from any duty station to file and monitor the

any rational explanation to explain or justify her inability to file through CCMS and takes it upon herself to dictate to the Tribunal that it should make its meagre resources available for her use as a matter of right. While parties have an undeniable right of access to a court of law at the same time they are required to comply with standard procedures and not try to impose their own views or practices on the court. It is the considered view of this Tribunal that parties appearing before the UNDT shall file their submissions through CCMS unless they can show they either have no access to the e-Filing portal or that it is impossible either technically or for some valid reason, which must be proved, to use it.

9. Accordingly, any further submissions and documents in the present matter should be submitted to the Tribunal by the parties via CCMS unless they can prove otherwise.

10. Additionally, during its perusal of the Application submitted by Counsel on 13 January 2016, the Tribunal noticed that Counsel did not provide copies of: the Applicant's management evaluation request, the emails referred to in the Application

Entered in the Register on this 2nd day of February 2016

(Signed)

Abena Kwakye-Berko, Registrar, Nairobi