

UNITED NATIONS DISPUTE TRIBUNAL 

16 October 2020

Original: English

Before: Judge Margaret Tibulya

Registry: Nairobi

Registrar: Abena Kwakye-Berko

Introduction

1. The Applicant serves on a continuing appointment at the P-5 level as the Chief Procurement Officer at the United Nations African Union Hybrid Operation in Darfur (UNAMID).

The application

2. On 31 March 2020, the Applicant filed an application before the United Nations Dispute Tribunal in Nairobi his claim for compensation under Appendix D of the United Nations Staff Rules and Regulations as time-barred. The decision was made by the Claims and Entitlements team at the Kuwait Joint Support Office.

3. On 30 April 2020, the Respondent filed a motion for receivability to be determined as a preliminary issue, and with that for the deadline for his submissions on the merits to be deferred.

4. On 5 May 2020, the Tribunal issued Order No. 087 (NBI/2020) granting the reply until receivability had been determined. The Tribunal also directed the parties to make further submissions on a series of issues.

5. Both parties complied with directions in Order No. 087 (NBI/2020) and filed their respective submissions on 11 May 2020.

6. On 6 October 2020, the Tribunal issued Order No. 196 (NBI/2020) finding Case No. UNDT/NBI/2020/024 receivable.

7. On 14 October 2020, the parties met for a case management discussion. The Tribunal asked for their views pertaining to consolidation of UNDT/NBI/2020/024 and UNDT/NBI/2020/062 seeing as both cases stem from the same set of facts and seek the same rel

to resolve this matter *inter partes* and/or whether they would prefer that this matter be referred to the United Nations Ombudsman and Mediation Services (UNOMS) for resolution of this dispute without recourse to further litigation.

ORDER

8.

Case Nos.: UNDT/NBI/2020/024

UNDT/NBI/2020/062

Order No.: 204 (NBI/2020)

(Signed)

Judge Margaret Tibulya

Dated this 16th day of October 2020

Entered in the Register on this 16th day of October 2020

(Signed)

Abena Kwakye-Berko, Registrar, Nairobi