
UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NBI/2022/071

Order No.: 156 (NBI/2022)

Date: 27 October 2022

Original: English

Before: Judge Agnieszka Klonowiecka-Milart

Registry: Nairobi

Registrar: Abena Kwakye-Berko

APPLICANT

v.

SECRETARY-

Introduction

1. The Applicant filed an application on 20 August 2022 contesting the decision to deny their request to “have [their] gender in United Nations administrative systems reflect [their] gender identity”.
2. The Respondent filed a reply to the application on 20 September 2022.
3. The Tribunal held a case management discussion with the parties on 26 October 2022 and made the following orders:

ORDERS

4. **By 17 November 2022:**
 - a. The Respondent to stipulate or disprove that the state of the Danish Passport law relevant for the time of the Applicant’s obtaining the “X“ marker in their national passport is properly as presented in the Applicant’s annex 3, and confirmed by the Danish Ministry of Foreign Affairs (“MoFA”) in the Applicant’s annex 4, and that an adequate translation into English, as confirmed by MoFA in annex 4 (save the translation of the word køn, which MoFA maintains to be gender), is:

The local council may permit that the sex is indicated as X if a passport applicant, of age 18 or above, submits a written

the passport did not at that time include the cases emphasized in the excerpt cited below:

“The Local Council may give permission to use the gender designation “X” if a passport applicant submits a written declaration to the effect that the wish to use the gender designation “X” is based on the experience of belonging to the other gender,

gender parity) is applicable based upon sex, “legal gender” recognized for the purpose of personal status, gender identity alone or otherwise. Such submissions will not exceed one page.

(Signed)

Judge Agnieszka Klonowiecka-Milart

Dated this 27th day of October 2022

Entered in the Register on this 27th day of October 2022

(Signed)

Abena Kwakye-Berko, Registrar, Nairobi