

UNITED NATIONS DISPUTE TRIBUNAL

Introduction

1. On 25 November 2022, the Applicant, a former staff member in the United Nations Office for Project Services based in New York, filed an application in which he contests the abolishment [of his post], [his] separation [from service], and [the] non-renewal [of his appointment] .

2. On 27 December 2022, the Respondent filed a reply submitting that the application has no merit. The 18-page reply exceeds the page limit stipulated in art. 19 of Practice Direction No. 4 (filing of application and replies), and albeit the Respondent provides an explanation therefor, he fails to explicitly request leave to do so.

Consideration

3. In preparation of the case for the assigned Judge, w submissions on facts, it is not clear to the Duty Judge on what facts they indeed agree and disagree. In this regard, the Appeals Tribunal has held that the Dispute Tribunal is not to make its own factual findings if the parties have agreed on certain facts (see *Ogorodnikov* 2015-UNAT-549, para. 28). The Tribunal also notes that the very purpose of producing evidence written or oral is to substantiate the specific relevant facts on which the parties disagree. Accordingly, there is, in essence, only a need for evidence if a fact is relevant and disputed (in line herewith, see *Abdellaoui* 2019-UNAT-929, para. 29, and *El-Awar* 2019-UNAT-931, para. 27).

4. The Duty Judge will therefore order the parties to produce a consolidated list of agreed and contested facts for the Tribunal to better understand the factual issues at stake.

5. In light of the above,

IT IS ORDERED THAT:

6. By **4:00 p.m. on Tuesday, 15 August 2023**, the parties are to file a jointly-signed statement providing, under separate headings, the following information:

- a. A consolidated list of the agreed facts. In chronological order, this list is to make specific