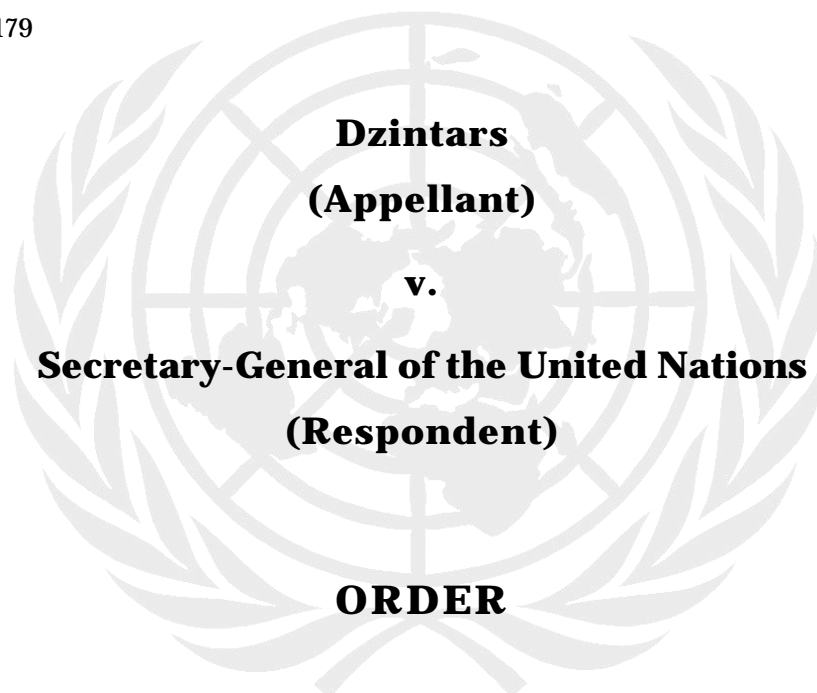




**UNITED NATIONS APPEALS TRIBUNAL
TRIBUNAL D'APPEL DES NATIONS UNIES**

Case No. 2010-179



**Dzintars
(Appellant)**

v.

**Secretary-General of the United Nations
(Respondent)**

ORDER

Before: Judge Jean Courtial, President

Order No.: 43 (2011)

Date: 2 March 2011

Registrar: Weicheng Lin

Counsel for Appellant: Self-represented

DZINTARS' REQUEST FOR LEAVE TO FILE ADDITIONAL SUBMISSION

1. On 20 August 2010, the United Nations Dispute Tribunal (UNDT or Dispute Tribunal) issued Judgment No. 2010/150 in French in the case of Juris Dzintars (Dzintars). Dzintars received a copy of the English translation of the judgment on 28 October 2010. He appealed the UNDT judgment on 9 December 2010. The Secretary-General filed an Answer on 27 January 2011.
2. On 15 February 2011, Dzintars submitted a request for leave to file an additional submission. He alleged that he had recently realized that Victor Rodriguez, Registrar of UNDT in Geneva, had served as the Secretary of the now-abolished Joint Appeals Board (JAB), which had considered his appeal, that Rodriguez had failed to recuse himself from the UNDT review of his application, and that the UNDT judgment was the result of built-in bias and conflict of interest.
3. Articles 8 and 9 Of the United Nations Appeals Tribunal's Rules of Procedure (Appeals Tribunal and Rules, respectively) provide for an appellant to submit an appeal form, accompanied by a brief, and for a respondent to submit an answer form, accompanied by a brief. There is no provision under the Rules for the parties to submit additional pleadings.
4. Under Article 31(1) of the Rules, the Appeals Tribunal may however allow additional pleadings in exceptional circumstances.
5. I have reviewed Dzintars' suggested additional submission and note that he has raised questions about the impartiality of both the UNDT Judge and Registrar. In my view, these allegations need to be dealt with seriously. I have therefore decided to allow Dzintars' additional submission to be filed and to provide an opportunity for the concerned individuals to respond to these allegations.

ORDER

6. For the foregoing reason, I admit Dzintars' additional filing. I further direct the Registrar to transmit a copy of Dzintars' filing to the Secretary-General, who shall have 15 days to file a rebuttal to Dzintars' additional pleading, if any.

Dated this 2nd day of March 2011 in New York, United States.

Original and authoritative version: English

(Signed)

Judge Jean Courtial,
President

Entered in the Register on this 2nd day of March 2011 in New York, United States.

(Signed)

Weicheng Lin, Registrar