



Before: Judge Francesco Buffa

Registry: Geneva

Registrar: René M. Vargas M.

KRIOUTCHKOV

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**ORDER
ON MOTION FOR EXTENSION OF
TIME TO FILE AN APPLICATION**

Counsel for Applicant:

Self-represented

Counsel for Respondent:

N/A

Introduction

1. By motion dated 24 October 2019, the Applicant seeks an extension of time to file an application on the merits concerning the decision not to select him for a P-4 position as Reviser, Russian, at the United Nations Office at Nairobi, advertised under Job Opening No. 103735 (“JO 103735”).
2. The motion was filed with the New York Registry via the Tribunal’s electronic case management system on 24 October 2019, at 00h21 New York time, and it was redirected to the Geneva Registry *ratione loci*.

Consideration

3. Art. 8.1(d)(i)a. of the Tribunal’s Statute and art. 7.1(a) of its Rules of Procedure (“ROP”) require that applications on the merits be filed within “90 calendar days of the receipt by the applicant of the management evaluation”. Art. 34 of the ROP (Calculation of time limits) prescribes that time limits in the ROP “(a) Refer to calendar days and shall not include the day of the event from which the period runs”.
4. The relevant date in this case is the Applicant’s receipt of the response to his request for management evaluation. The Applicant confirms in his motion that he received the management evaluation decision letter on 25 July 2019. Hence, pursuant to the above-mentioned provisions, the 90-day deadline to file an application expired on 23 October 2019.
5. To determine the relevant time when an application is lodged, it has to be considered the time zone of the duty station of the Tribunal where the application is lodged, being in general irrelevant the time zone of the place where the applicant works.
6. The record shows that the motion, dated 24 October 2019, was filed with the New York Registry via the Tribunal’s electronic case management system on 24 October 2019, at 00h21 New York time, which corresponds to 24 October 2019,

at 06h21 Geneva time, and 11h21 time of Bangkok, the place where the Applicant works.

7. An extension of time can be granted only if asked before the deadline to file an application, and the Tribunal cannot consider a motion for extension of time submitted after the deadline expired.

8. The Tribunal therefore rejects the motion because it was filed after the 90-day statutory deadline to submit applications set forth in art. 8.1(d)(i)a. of the Tribunal's Statute and art. 7.1(a) of its Rules of Procedure.

IT IS ORDERED THAT:

9. The Applicant's motion for extension of time to file an application is rejected.

10. Case No. UNDT/GVA/2019/062 under which this motion was registered is hereby closed.

(Signed)

Judge Francesco BUFFA

Dated this 29th day of October 2019

Entered in the Register on this 29th day of October 2019

(Signed)

René M. Vargas M., Registrar, Geneva