



**Before:** Judge Vinod Boolell  
**Registry:** Nairobi  
**Registrar:** Abena Kwakye-Berko

OKETCH

v.

SECRETARY-GENERAL  
OF THE UNITED NATIONS

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**DECISION ON THE APPLICANT'S  
MOTION TO AMEND APPLICATION  
PURSUANT TO RULES 19 AND 36.1 OF  
THE UNDT RULES OF PROCEDURE**

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**Counsel for the Applicant:**

Nicole Washienko, OSLA

**Counsel for the Respondent:**

Steven Dietrich, ALS/OHRM

Nicole Wynn, ALS/OHRM

## **Introduction and Procedural History**

1. The Applicant entered into the service of the United Nations in 2002. He currently serves as a Humanitarian and Liaison Affairs Officer with the African Union Liaison Office (AULO) of the Office for Coordination of Humanitarian Affairs (OCHA) in Addis Ababa, Ethiopian. He holds a fixed term appointment at the P3 level.
  
2. On 28 September 2014, the Applicant filed an application with the United Nations Dispute Tribunal (UNDT) in Nairobi to challenge the following decisions:
  - i. to rank the list of recommended candidates that was presented to the central review body as part of a selection exercise for the P-4 post of Humanitarian Affairs Officer in AULO within OCHA;
  - ii. not to select him for the P-4 post of Humanitarian Affairs Officer in AULO within OCHA;
  - iii. to deny him Special Post Allowance (SPA) for the period of 1 December 2012 – 14 January 2014; and
  - iv. to change the Applicant’s functional title from “Humanitarian and Liaison Affairs Officer” to “Humanitarian Civil Military Coordination Officer”.
  
3. The Application was served on the Respondent on 29 September 2014.
  
4. On 17 October 2014, the Applicant filed the subject Motion of this decision on grounds that the management evaluation decision he received on 14 October 2014 provided details not previously available to him.

## **Deliberations**

5. The Tribunal has reviewed the Applicant's submissions and finds that the Applicant's Motion is properly made.

6. Art. 19 of the UNDT Rules of Procedure grants the Tribunal the authority to issue any order or give any direction "which appears to a judge to be appropriate for the fair and expeditious disposal of the case and to do justice to the parties." Article 36 of the UNDT Rules further affords the Tribunal the authority to decide on matters "not expressly provided for in the rules of procedure."

7. The Applicant is **DIRECTED** to file his amended application by **13 December 2014.**

8. The Respondent should file his submissions in response to the amended application by **14 January 2015.**

*(signed)*

Judge Vinod Boolell

Dated this 27<sup>th</sup> day of October 2014

Entered in the Register on this 27<sup>th</sup> day of October 2014

*(signed)*

Abena Kwakye-Berko, Registrar, Nairobi