



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NBI/2017/096

Order No.: 030 (NBI/2018)

Date: 16 March 2018

Original: English

Before: Judge Agnieszka Klonowiecka-Milart

Registry: Nairobi

Registrar: Abena Kwakye-Berko

GUILAIN

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**ORDER STRIKING OUT THE
APPLICATION**

Counsel for the Applicant:
Self-represented

Counsel for the Respondent:
UNDP

Introduction

1. The Applicant is a former Driver with the Office for Coordination of Humanitarian Affairs (OCHA), in Goma, the Democratic Republic of Congo (DRC).
2. On 17 September 2008, he joined the Organization on a United Nations Development Programme (UNDP) Letter of Appointment (LOA), at the G-2 level.
3. On 1 May 2017, he separated from the Organization.
4. On 25 October 2017, he filed a motion with the United Nations Dispute Tribunal (UNDT/the Tribunal) in Nairobi requesting “a waiver of any of the time lines associated to paragraph 1 art.7 of the Tribunal’s Rules of Procedure; in consideration of an informal resolution of the contested decision, which is the non-payment of termination indemnities.” In his motion, the Applicant requested for an additional 60 calendar days to file an application.
5. By Order No. 189 (NBI/2017) issued on 3 November 2017, the Tribunal granted the Applicant’s request for an extension of time to file an application and directed him to file his substantive application by 5.00 p.m., Nairobi time, on 2 January 2018, failing which the application would be rejected.

Deliberations

6. The Tribunal notes that it is now two months since the deadline in Order No. 189 (NBI/2017) elapsed. The Applicant has failed to apprise the Tribunal of any developments in his attempts to informally resolve his dispute and has also failed to comply with the stipulations in the said Order. The Applicant has failed to actively and diligently pursue this matter and,

IT IS ACCORDINGLY ORDERED THAT:

7. The matter of *Guilain v The Secretary-General of the United Nations* (UNDT/NBI/2017/096) be struck off the Court's docket.

(Signed)

Judge Agnieszka Klonowiecka-Milart

Dated this 16th day of March 2018

Entered in the Register on this 16th day of March 2018

(Signed)

Abena Kwakye-Berko, Registrar, Nairobi