



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NBI/2022/123

Order No.: 025 (NBI/2023)

Date: 1 February 2023

Original: English

Before: Judge Agnieszka Klonowiecka-Milart

Registry: Nairobi

Registrar: Abena Kwakye-Berko

TERRINE

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

ORDER ON CASE MANAGEMENT

Counsel for the Applicant:

Stéphanie Zurawski

Counsel for the Respondent:

Marisa Maclellan, UNHCR

Jan Schrankel, UNHCR

Introduction

1. The Applicant is an Assistant Representative (Administration) at the United Nations High Commissioner for Refugees (“UNHCR”) in Beirut, Lebanon. She serves at the P-5 level on a fixed term appointment expiring on 31 December 2024.

2. On 20 December 2022, the Applicant filed an application in which she contested three decisions: 1) the decision to cancel her recruitment as an Assistant Treasurer at the P-5 Level for a Temporary Assignment (“TA”) with the Division of Financial and Administrative Management (“DFAM”) in Geneva, Switzerland; 2) the decision to assign her to the position of Assistant Representative (Administration) in Addis Ababa, Ethiopia; 3) the management evaluation response of the Deputy High Commissioner (“DHC”) of UNHCR.

3. On 27 January 2023, the Respondent filed his reply of 17 pages (cover, and signature pages included) and requested leave to exceed the page-limit allowed in the Tribunal’s Practice Direction No. 4.

4. The Tribunal notes that under para. 19 of its Practice Direction No. 4, “[t]he reply should not exceed 10 pages, font Times New Roman, font size 12, line spacing of 1.5 line”). Nevertheless, para. 2 of Practice Direction No. 4 makes it clear that this Practice Direction is “subject to any direction given by a Judge in a particular case”.

5. The Tribunal, pursuant to art. 19 of its Rules of Procedure, grants the Respondent’s motion and the 17-page reply is admitted into the case record. This is done on an exceptional basis, in light of the comprehensive presentation of facts and laws specific for the UNHCR. The Respondent is, however, directed to comply with the page limits in future submissions and should not assume that motions to exceed page limits will be granted lightly.

IT IS ORDERED THAT:

6. The Respondent’s motion to exceed the page-limit is granted.

7. By Tuesday, 7 February 2023, the Applicant is invited to state whether she disputes any facts, and whether she wishes to adduce evidence in support of them, from documents or persons. In the event the Applicant is requesting a hearing, she shall indicate the disputed fact, its relevance, and the person to be heard.

8. Absent evidentiary submissions, the Tribunal will proceed to judgment based on the record before it.

(Signed)

Judge Agnieszka Klonowiecka-Milart

Dated this 1st day of February 2023

Entered in the Register on this 1st day of February 2023.

(Signed)

Abena Kwakye-Berko, Registrar, Nairobi