



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NBI/2023/068
Order No.: 141 (NBI/2023)
Date: 18 September 2023
Original: English

Before: Judge Solomon Areda Waktolla, Duty Judge

Registry: Nairobi

Registrar: Eric Muli, Officer-in-Charge

EGENHOFF

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

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

Counsel for the Applicant:
George Irving

Counsel for the Respondent:
AS/ALD/OHR, UN Secretariat

Background

1. The staff member who is the subject of the present motion for extension of time was the Resident Representative of the United Nations Development Programme in Guinea-Bissau. He served at the D-1 level on a fixed-term appointment.
2. The staff member was separated from service of the Organization on 16 June 2023, with compensation *in lieu* of notice and without termination indemnity, for conflict of interest and misuse of his position (“the impugned decision”).
3. On 7 September 2023, he filed the subject motion of this Order for extension of time to file an application before the United Nations Dispute Tribunal sitting in Nairobi to challenge the impugned decision.

Considerations

4. The Tribunal has reviewed the staff member’s submissions and takes the view that the Applicant should be afforded the opportunity to submit his application challenging the merit of the impugned decision.
5. Following the impugned decision, the staff member was only able to retain counsel on 7 September 2023. The abruptness of separation and the requirement that he vacate the duty station with immediate effect caused the staff member significant health challenges for which he is currently being treated.
6. Article 8.3 of the Statute of the Dispute Tribunal read together with art. 35 of the Tribunal’s Rules of Procedure afford the court the power to shorten or extend time limits where the interests of justice so require.
7. The circumstances pleaded by the staff member through his newly appointed Counsel has persuaded the Tribunal that it would be in the interest of justice to grant the additional time that has been sought.

ORDER

8. The Motion for Extension of Time to File an Application is **GRANTED as requested.**

(Signed)

Judge Solomon Areda Waktolla

Dated this 18th day of September 2023

Entered in the Register on this 18th day of September 2023

(Signed)

Eric Muli, Officer-in-Charge, Nairobi