



UNITED NATIONS DISPUTE TRIBUNAL

Practice Direction No. 4

Date: 1 January 2022

Original: English

**PRACTICE DIRECTION
ON FILING OF
APPLICATIONS AND REPLIES**

Adopted on 27 April 2012
Revised on 1 July 2014
Revised on 20 October 2021

Introduction

1. The purpose of this Practice Direction is to assist the parties in understanding the Dispute Tribunal's procedures concerning the filing of applications and replies. See, in particular, art. 8 of the Statute of the Tribunal and arts. 6, 7, 8, 10, and 35 of the Rules of Procedure of the Tribunal.
2. The information contained in this Practice Direction is subject to the Dispute Tribunal's Statute and Rules of Procedure, or any direction given by a Judge in a particular case.

Application

(Amended effective 1 July 2014)

3. An application is a written submission by which an individual institutes proceedings before the Tribunal.
4. The term is mainly used to refer to the submissions by which an individual appeals an administrative decision alleged to be in non-compliance with the terms of appointment or the contract of employment, or a decision imposing a disciplinary measure (art. 2.1(a) and (b) of the Statute of the Tribunal, see par. 6 below).

Forms to file an application

(Amended effective 1 July 2014)

5. Applications shall be submitted on the appropriate current forms of the Dispute Tribunal. The current templates and forms are posted on the website of the Dispute Tribunal (www.un.org/en/oaj) and are available through the eFiling portal (see <http://www.un.org/en/oaj/dispute/efiling.shtml>). They may also be obtained by writing to one of the Registries (undt.geneva@unog.ch, undt.nairobi@unon.org, undt-newyork@un.org).
6. The application should not exceed 10 pages, in font Times New Roman, font size 12, line spacing of 1.5 lines.

Information to be included in the form for the filing of an application on the merits

(Amended effective 1 January 2022)

7. In addition to information required by art. 8 of the Rules of Procedure of the Tribunal, an application on the merits under art. 2.1(a) and (b) and art. 2.5 of the Statute of the Tribunal should include the following information:
 - a. A succinct statement of the facts, matters and things relied on to prove the decision did not comply with the terms of appointment or contract of employment;
 - b. A copy of the request for management evaluation and the management evaluation decision, if appropriate. Information to be included in the form for the filing of an application for execution of a mediation agreement

8. Proceedings under art. 2.1(c) of the Statute to enforce the implementation of an agreement reached through mediation must be commenced by submitting an application that includes the following information:

- a. The applicant's full name, date of birth and nationality;
- b. The name of the applicant's legal representative (with authorization attached), if any, together

with contact details;

- c. The email address to which documents should be sent;
- d. In an annex, a copy of the agreement;
- e. A brief description of the steps, if any, taken by the applicant to implement the agreement;
- f. The relief sought; and
- g. The grounds relied on in support of the application.

Extension of time limits

9. The applicant may, by motion supported by a declaration of relevant facts, seek an order from the Tribunal extending the time prescribed in the rules for the filing of applications. If such a motion is submitted after the expiration of the prescribed time, an extension shall not be ordered unless the circumstances are exceptional. For further information, refer to the Practice Direction on motions and responses thereto.

Method of filing

(Amended effective 1 July 2014)

eFiling portal

10. All applications shall be submitted electronically through the eFiling portal unless the filing party does not have access to it.

Email

11. If the filing party does not have access to the eFiling portal, the filing may be made by email. Documents and material should be filed with the Registry by electronic means and in PDF format. Electronic files should not be sent in compressed or archived form (for example, ZIP files should be avoided). All emails to a Registry, including those transmitting submissions from the parties, must include the case number and the last name of the applicant in the subject line of the email communication. The size of each email sent to the Registry should not exceed 7 megabytes in order to avoid delivery failure. All emails to a Registry are to be addressed to the Registry's email account. All communications with a Registry are to be copied to the other party, unless a party seeks to make an ex parte filing.

Hand or post

12. Filing by hand or post may be done if electronic means are not available. In the event it is done by mail, the date of submission will be the date on the post mark. If the filing is hand-delivered, the date of submission will be that of the hand-delivery at the respective Registry.

13. If filed by hand or by post, documents or material are to be submitted to the relevant Registry at the addresses provided on the website of the Dispute Tribunal.

14. For filing purposes, the working hours of the Registries are:

Geneva: 9:00 to 18:00 hours Monday to Friday

Nairobi: 8:30 to 16:00 hours Monday to Thursday
8:30 to 14:00 hours on Fridays

New York: 9:00 to 17:00 hours Monday to Friday

Relevant Registry

(Modified effective 1 January 2022)

15. Applications shall be submitted to the Registry in Geneva, Nairobi and New York in accordance with the following geographical distribution:

a. Geneva Registry: Applications from staff assigned at the time of the contested decision in duty stations located in Europe and Asia (including the Pacific);

b. Nairobi Registry: Applications from staff assigned at the time of the contested decision in duty stations located in Africa except in the Maghreb and in States of the Economic Community of West African States, the Arabian Peninsula, Iraq, Israel, Jordan, Lebanon, Syria, as well as Palestine;

c. New York Registry: Applications from staff assigned at the time of the contested decision in the Americas and the Caribbean, in the Maghreb and in States of the Economic Community of West African States.

16. An application which is not filed with the appropriate Registry will be redirected.

17. The application shall be heard and determined in the Tribunal sitting in the place where the application is submitted unless the application has been filed with the wrong Registry, or a judge of the Tribunal orders otherwise either on the initiative of the judge or on the application of a party.

Reply to application

(Modified effective 1 January 2022)

18. Replies to applications are to be submitted using the respective form posted on the website of the Dispute Tribunal (www.un.org/en/oaj); it may also be obtained by writing to one of the Registries (undt.geneva@unog.ch, undt.nairobi@unon.org, undt-newyork@un.org). The reply is to be filed by the respondent in the Registry where the application was filed within 30 calendar days of the date of receipt of the application.

19. The reply should not exceed 10 pages, font Times New Roman, font size 12, line spacing of 1.5 lines.

20. The respective Registrar will transmit a copy of it to the applicant in accordance with art. 10 of the Rules of Procedure of the Tribunal.
