

Case No. 2022-1715



1. On 27 July 2022, the United Nations Dispute Tribunal (Dispute Tribunal or UNDT) in Nairobi issued

A party may seek to submit to the Appeals Tribunal, with an appeal or an answer, documentary evidence, including written testimony, in addition to that contained in the written record. In exceptional circumstances and where the Appeals Tribunal determines that the facts are likely to be established with such additional documentary evidence, it may receive the additional evidence from a party (...) provided that the Appeals Tribunal shall not receive additional written evidence if it was known to the party seeking to submit the evidence and should have been presented to the Dispute Tribunal.

5. I deny the Secretary-General's request to submit additional evidence. The UNDT Judgment is not documentary evidence but a judicial determination on the public record. There is no need for a party to seek leave to present a judgment for consideration in these circumstances.

6. The Secretary-General's request to submit additional pleadings is governed by the Appeals Tribunal's Practice Direction No. 1, Section II.A.3, wherein such pleadings may be accepted in exceptional circumstances. I consider the issuance of the UNDT Judgment to be such a circumstance and will accept the Secretary-General's additional pleadings.

7. As there is a final judgment on the matter (which is in the public record), t