



UNITED NATIONS APPEALS TRIBUNAL TRIBUNAL D'APPEL DES NATIONS UNIES

Judgment No. 2025-UNAT-1576

Ann-Christin Raschdorf
(Appellant)

v.

Secretary-General of the United Nations
(Respondent)

JUDGMENT

Before:	Judge Kanwaldeep Sandhu, Presiding Judge Nassib G. Ziadé Judge Gao Xiaoli
Case No.:	2024-1947
Date of Decision:	27 June 2025
Date of Publication:	2 September 2025
Registrar:	Juliet E. Johnson

Counsel for Appellant:	Self-represented
Counsel for Respondent:	Rupa Mitra

JUDGE KANWALDEEP SANDHU, PRESIDING.

1. Ms. Ann-Christin Raschdorf, a former staff member of the United Nations Assistance Mission for Iraq (UNAMI), contested alleged decisions and “non decisions” concerning the processing of her claim for compensation under Appendix D to the Staff Rules for injury attributable to the performance of official duties on behalf of the United Nations.
2. In Judgment No. UNDT/2024/054 (impugned Judgment),¹ the United Nations Dispute Tribunal (UNDT) dismissed the application as not receivable. Ms. Raschdorf appeals to the United Nations Appeals Tribunal (Appeals Tribunal or UNAT).
3. For the reasons set out below, the Appeals Tribunal dismisses the appeal and affirms the impugned Judgment.

Facts and Procedure²

4. Ms. Raschdorf joined the Organization on 1 April 2004. She separated from the Organization on 31 May 2019 upon the expiration of her fixed-term appointment.³
5. On 21 October 2020, Ms. Raschdorf submitted a P.290 claim form (initial claim) for an injury that occurred on 11 April 2019. On 5 November 2020 and 12 November 2020, the Advisory Board on Compensation Claims (ABCC) informed her that this claim was time-barred.⁴
6. On 12 November 2020, Ms. Raschdorf requested ABCC to reconsider her claim and attached a new P.290 form, which noted a new date of the injury as 14 September 2020 (the Claim or subsequent Claim). ABCC did not respond to that request.⁵
7. Ms. Raschdorf contested before the UNDT a decision not to renew her fixed-term appointment beyond its expiration on 31 May 2019, a decision not to refer her case for a disability benefit to the United Nations Joint Staff Pension Fund, and a decision of ABCC to reject her initial

¹ *Raschdorf v. Secretary-General of the United Nations*, Judgment dated 2 September 2024.

² Summarized from the impugned Judgment as relevant to the appeal.

³ Impugned Judgment, para. 5.

⁴ *Ibid.*, paras. 6-8.

⁵ *Ibid.*, paras. 9-10.

claim. In Judgment No. UNDT/2022/044,⁶ the UNDT dismissed that application and, in Judgment No. 2023-UNAT-1343,⁷ the UNAT affirmed the UNDT Judgment.⁸

8. On 6 April 2023, Ms. Rashdorf requested management evaluation of “the non-decision of the ABCC on the corrected/amended P-290 she submitted in November 2020” (the subsequent Claim).⁹

9. On 20 April 2023, Ms. Raschdorf was informed that her subsequent Claim would be presented to ABCC and ABCC was going to assess her claim for “a recommendation on whether to waive the deadline” for filing the Claim. She was also informed that “the only aspect of the claim that will be considered at the 10 May 2023 meeting (or the following Board meeting) is the waiver of the deadline. The merits of the case will only be considered if the deadline is waived”. In addition, ABCC requested her to submit additional information in support of her 12 November 2020 Claim. She submitted the requested information on 21 April and 25 April 2023 and the ABCC Secretariat presented it to ABCC.¹⁰

10. On 24 April 2023, the Management Evaluation Unit (MEU) informed Ms. Raschdorf that her 6 April 2023 request for management evaluation had been rendered moot because, according to the 20 April 2023 e-mail from ABCC, her Claim would “be submitted to the ABCC for a recommendation on whether the deadline should be waived”.¹¹

11. Also on 24 April 2023, the ABCC Secretariat wrote to Ms. Raschdorf:¹²

Kindly be reminded that (...) the deadline to submit a claim is 1 year from the date of the onset of your illness/injury (...). And, in this case, a determination on whether you have complied with the time limitations for the filing of a claim will be made by the Secretary[-]General/Controller upon a recommendation of the Board. We will promptly advise you once a decision is issued in your case.

12. On 1 May, 3 May, and 6 May 2023, Ms. Raschdorf requested management evaluation of the “decisions of the ABCC” of 20 April and 24 April 2023 “to only receive a claim form of 21 October 2020 with an incorrect illness onset/awareness of 11 April 2019 for a formal review of

⁶ *Raschdorf v. Secretary-General of the United Nations*, Judgment dated 17 January 2022.

⁷ *Ann-Christin Raschdorf v. Secretary-General of the United Nations (Raschdorf I)*, Judgment dated 11 May 2023.

⁸ Impugned Judgment, paras. 11-13.

⁹ *Ibid.*, para. 14.

¹⁰ *Ibid.*, paras. 15-16 and 27.

¹¹ *Ibid.*, paras. 17 and 32.

¹² *Ibid.*, para. 29.

receivability” and “to only formally receive a brief on a non-decision on a corrected claim form of 12 November 2020 rather than a corrected P-290 claim form itself with a corrected illness onset date/awareness date of 14 September 2020”.¹³

13. On 26 May 2023, the MEU dismissed Ms. Raschdorf’s requests of 1 May, 3 May, and 6 May 2023 as not receivable.¹⁴

14. On 18 July 2023, Ms. Raschdorf filed the application with the UNDT, contesting “ABCC secretariat decisions of 20 and 24 April 2023”. She noted:¹⁵

It is these administrative decisions of 20 and 24 April 2023 together with the MEU evaluations of the preceding three non[-]decisions that are being contested and are being referred to the UNDT. This further includes an implied administrative decision on the retroactive granting of special leave in line with Art 1.7 a , Art 3.9 a, Annex D that emerges out of a delay in medical determinations/material mistakes that were not found to be relevant by the ABCC/MEU prior to a review by the board.

15. In Order No. 136 (NBI/2023) of 11 September 2023, the UNDT requested Ms. Raschdorf to file a submission on the issue of receivability.

The impugned Judgment

16. The UNDT dismissed the application on the grounds of receivability.

17. The UNDT held that Ms. Raschdorf had not clearly identified which precise administrative decision she sought to challenge. She failed to identify a singular, definitive administrative decision issued by entities such as ABCC or any other pertinent authority that could be subject to review by the UNDT at this juncture of the process.¹⁶

Submissions

Ms. Raschdorf’s Appeal

18. Ms. Raschdorf requests the Appeals Tribunal to: rescind the 20 and 24 April 2023 “decisions” of the ABCC Secretariat and remand them to the “executive management”, or remand them to the UNDT; order a “correction” of mistakes made in the processing of her Claim; remand

¹³ *Ibid.*, para. 18.

¹⁴ *Ibid.*, para. 19.

¹⁵ *Ibid.*, para. 20.

¹⁶ *Ibid.*, paras. 23 and 33.

incomplete decisions of 30 May 2019 and 5 and 12 November 2020, related to her separation, to the “executive management” for correction, or remand them to the UNDT; rescind the MEU’s decision of 24 April 2023; order correction and reimbursement for all the legal and procedural mistakes by ABCC and the MEU, or remand the matter to the UNDT.

19. Ms. Raschdorf contends that the UNDT failed to exercise jurisdiction vested in it by not identifying the contested decisions. It should also be considered that she was self-represented because the Office of Staff Legal Assistance (OSLA) had informed her of its decision not to represent her less than 24 hours before the time limit for her submission on the issue of receivability.

20. Ms. Raschdorf argues that the UNDT erred on a matter of law and procedure when it held that ABCC’s decisions had been only preliminary and would not have had legal consequences. The 20 and 24 April 2023 decisions became appealable decisions in relation to their direct legal consequences, i.e. no reimbursement of sick leave, no correction of material mistakes made in the processing of her Claim.

21. Ms. Raschdorf submits that the UNDT refused to address and largely overlooked the relevant 26 May 2023 management evaluation by the MEU. The UNDT also failed to consider and recognize the implied “incomplete” decisions of 5 and 12 November 2020 to separate her and of 30 May 2019 to terminate her contract that are reviewable. As a result, by considering irrelevant matters (the 24 April 2023 management evaluation by the MEU) and not considering the relevant matters (her original request to reopen the claim and the 26 May 2023 management evaluation by the MEU), the UNDT erred on a matter of law and procedure.

22. Ms. Raschdorf explains that the decisions of ABCC and the MEU were final “incomplete” decisions on the receivability of her requests for medical determinations. The UNDT erred on a question of law and procedure by failing to recognize that her claim had been essentially denied twice even before a substantive medical determination. The UNDT did not review her arguments on receivability and the 24 April 2023 management evaluation.

23. Ms. Raschdorf contends that the UNDT erred on a question of law and committed an error in procedure by allowing ABCC to correct its 12 November 2020 decision without consideration of the material mistakes. The UNDT failed to recognize that the 5 and 12 November 2020 decisions could have been easily reopened.

The Secretary-General's Answer

24. The Secretary-General requests the Appeals Tribunal to dismiss the appeal.

25. The Secretary-General argues that Ms. Raschdorf has failed to demonstrate any error in the UNDT's analysis or conclusions.

26. The Secretary-General submits that the UNDT correctly found that the application was not receivable. The UNDT's determination in respect of the ABCC Secretariat messages was correct. Ms. Raschdorf appears to mischaracterize their content. The UNDT also correctly found that the 24 April 2023 response to her request for management evaluation was not an appealable decision. Her arguments merely express disagreement with the UNDT's findings. The UNDT correctly found that Ms. Raschdorf had failed to identify a singular, definitive appealable administrative decision.

27. The Secretary-General argues that Ms. Raschdorf has improperly attempted to shift onto the UNDT her statutory burden of articulating the administrative decisions she wishes to contest. Her assertion that the Appeals Tribunal should consider the fact that she was self-represented as relieving her of her statutory burden is misplaced and points to no shortcoming on the part of the UNDT. However, even if the UNDT had been able to discern from her submissions a contested administrative decision that had direct legal consequences on her terms and conditions of appointment, such decision would have first had to have been the subject of a request for management evaluation.

Considerations

28. The issue in this appeal is whether the UNDT erred when it dismissed the application as not receivable because Ms. Raschdorf had failed to clearly identify a reviewable administrative decision or decisions. Ms. Raschdorf has filed numerous and confusing claims and applications that have been the subject of various reviews by the MEU, the UNDT and the UNAT, all of which essentially attempt to ensure that the Administration continues to pay her benefits for medical reasons after expiration of her fixed-term appointment.

29. Article 2(1)(a) of the UNDT Statute gives the UNDT the jurisdiction to hear and pass judgment on an "appeal [of] an administrative decision that is alleged to be in non-compliance with the terms of appointment or the contract of employment".

30. Article 8(1)(c) of the UNDT Statute stipulates that an appeal is receivable if an “applicant has previously submitted the contested administrative decision for management evaluation, where required”.

31. In establishing that an administrative decision was in non-compliance with the terms of their appointment or contract of employment, the applicant has the statutory burden to establish the non-compliance. Such a burden cannot be met where the applicant fails to identify an administrative decision capable of being reviewed. Moreover, an administrative decision must be such that its date is based on objective elements that both parties can accurately determine.¹⁷

32. Therefore, as a starting point, Ms. Raschdorf has a statutory burden to identify the administrative decision(s) capable of being reviewed. In her application to the UNDT, Ms. Raschdorf refers to “contested decisions of 20 and 24 April 2023” and a “screening of a disability claim of 12 November 2020”. She then submits that the claim was “obstructed by three non-decisions” dating back to 30 May 2019 and 5 and 12 November 2020 and the MEU reviewed “material mistakes” in April and May 2023. Because she has filed so many claims and requests for reviews, it is difficult to separate the alleged decisions she is challenging.

33. First, in her appeal, Ms. Raschdorf appears to contest various unspecified decisions or “material mistakes” such as a failure to respond to her 12 November 2020 Claim. These submissions on “material mistakes” are not receivable as they fail to identify in precise terms a specific administrative decision capable of being reviewed. The UNDT correctly concluded that Ms. Raschdorf’s references to a variety of interactions involving ABCC did not collectively or singularly establish the presence of an identifiable administrative decision that had a direct and definable legal effect on her employment situation. Her approach of relying on her interpretations of procedural communications, rather than identifying a formal administrative conclusion, is unhelpful and leads to the application being not receivable.¹⁸

34. Second, the “non decisions” or “incomplete decisions” identified by Ms. Raschdorf are not administrative decisions that have a direct, final, and legal effect on her employment contract or the respective challenges are moot.

¹⁷ *Selim v. Secretary-General of the United Nations*, Judgment No. 2015-UNAT-581, para. 23 (internal citations omitted).

¹⁸ Impugned Judgment, paras. 34-35.

35. The 30 May 2019 “non decision” is a memorandum from the Chief Mission Support of UNAMI that determined that Ms. Raschdorf’s fixed-term appointment would not be extended beyond its expiration due to a certified illness. This was adjudicated by the UNDT and UNAT in previous judgments.¹⁹ As a result, any challenge to an alleged decision relating to the initial claim has been previously reviewed and adjudicated and is clearly *res judicata* which requires that a person may not bring a case about an already resolved controversy.²⁰

36. As for the “non decisions” or “incomplete decisions” of 5 and 12 November 2020, Ms. Raschdorf references what she says was a lack of response by ABCC to her communication of 5 November 2020 on the initial claim and to her communication regarding her subsequent Claim. In *Raschdorf I*, the Appeals Tribunal took note that, in the communications of 5 November 2020 and 12 November 2020, ABCC had informed her that her submission relating to the initial claim was time-barred under Article 2.1 of Appendix D.²¹ As indicated above, any challenge to the initial claim is *res judicata*, therefore, her attempt to challenge a “non decision” of 5 November 2020 is barred.

37. As for the alleged lack of response in the communication of 12 November 2020 to Ms. Raschdorf’s subsequent Claim, her challenge was premature as an administrative decision had not yet been made. She filed her subsequent Claim on 12 November 2020 based on a revised date of injury. At the time, a final decision on her Claim was still pending. Only a final administrative decision taken at the conclusion of the process will have direct legal consequences for an applicant’s terms of appointment and constitutes an appealable administrative decision.²²

38. Finally, in the impugned Judgment, the UNDT found that Ms. Raschdorf’s submissions regarding ABCC’s “decisions” of 20 and 24 April 2023 lacked clarity.

39. In the 20 April 2023 e-mail, the ABCC Secretariat noted that the date of the incident in the Claim was 11 April 2019, as indicated in her initial claim (not 14 September 2020, as indicated in the subsequent Claim which had already been adjudicated in *Raschdorf I*). The ABCC Secretariat then indicated that her Claim would be presented to ABCC for a recommendation on whether the

¹⁹ See *Raschdorf I* Judgment, *op. cit.*

²⁰ *Kallon v. Secretary-General of the United Nations*, Judgment No. 2017-UNAT-742, para. 44.

²¹ *Raschdorf I* Judgment, *op. cit.*, para. 14.

²² *Edoardo Gianotti v. Secretary-General of the United Nations*, Judgment No. 2022-UNAT-1209, para. 33; *Nguyen-Kropp & Postica v. Secretary-General of the United Nations*, Judgment No. 2015-UNAT-509, paras. 29, 31 and 33 (internal citations omitted).

deadline would be waived in accordance with Article 2.1(e) of Appendix D.²³ In her e-mail response of 21 April 2023, Ms. Raschdorf objected to the characterization of the claim in reference to her initial claim and reiterated that her complaint related to the “non decision” of her subsequent Claim of 12 November 2020 with a 14 September 2020 onset date. The ABCC Secretariat responded on 24 April 2023 acknowledging receipt of her 21 April 2023 communication and advising that the information would be submitted to ABCC for consideration.

40. In a letter of the same day (24 April 2023), the MEU confirmed the 20 April 2023 e-mail from the ABCC Secretariat to Ms. Raschdorf that her “claim [would] be submitted to the ABCC for a recommendation on whether the deadline should be waived in accordance with Article 2.1(e) of Appendix D”. Based on such response, the MEU considered that her request for management evaluation had been rendered moot.

41. The UNDT held that the communications of 20 and 24 April 2023 were not reviewable as they served to do little more than inform Ms. Raschdorf of the process ahead of her. The UNDT found that the MEU decision of 24 April 2023 had done much the same and a response to a request for management evaluation was not an appealable administrative decision.²⁴

42. We agree that, in these circumstances, the 20 and 24 April 2023 communications from the ABCC Secretariat and the MEU, respectively, are not administrative decisions capable of being appealed. Both communications outline the next steps in the process initiated by the Claim which had not yet been adjudicated by ABCC, namely whether to waive the deadline pursuant to Article 2.1(e).

43. These were not final administrative decisions. Steps in the process that are preliminary in nature may only be challenged in the context of an appeal against a final decision of the Administration that has direct legal consequences.²⁵ Therefore, the 20 and 24 April 2023

²³ Article 2.1(e) of Appendix D reads:

The deadline for the filing of a claim, including all necessary supporting documentation, may be waived on an exceptional basis by the Board or the official with delegated authority to consider *de minimis* claims, in consultation with the Medical Services Division, in cases in which the claimant demonstrates that the delay was the result of incapacity. If a waiver is made, the claim must be submitted within the deadlines set out in article 2.1 (b) above, as applicable, the time frame for which will begin from the date of the cessation of the incapacity.

²⁴ Impugned Judgment, paras. 31 and 32.

²⁵ *Nguyen-Kropp & Postica* Judgment, *op cit.*, para. 33 (internal citations omitted).

communications are not administrative decisions and the application challenging these communications is not receivable *ratione materiae*.

44. It is to be also noted that Ms. Raschdorf repeats much of the same arguments as presented before the UNDT rather than identifying an error of law, fact, procedure or jurisdiction made by the UNDT in the impugned Judgment as prescribed in Article 2(1) of the Appeals Tribunal Statute. An appellant has the burden of identifying the alleged defects in the impugned judgment and stating the grounds relied upon in asserting that the judgment is defective.²⁶ Ms. Raschdorf has not met this burden.

45. For the reasons above, the appeal must fail.

²⁶ *Mohammad Yahya Al Othman v. Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East*, Judgment No. 2022-UNAT-1196, para. 103 (internal citations omitted).

Judgment

46. Ms. Raschdorf's appeal is dismissed, and Judgment No. UNDT/2024/054 is hereby affirmed.

Original and Authoritative Version: English

Dated this 27th day of June 2025 in New York, United States.

(Signed)

Judge Sandhu, Presiding

(Signed)

Judge Ziadé

(Signed)

Judge Gao

Judgment published and entered into the Register on this 2nd day of September 2025 in New York, United States.

(Signed)

Juliet E. Johnson, Registrar