



UNITED NATIONS APPEALS TRIBUNAL TRIBUNAL D'APPEL DES NATIONS UNIES

Case Nos. 2022-1727 & 2022-1731

Leopold Camille Yodjeu Ntemde

(Appellant)

v.

Secretary-General of the United Nations

(Respondent)

Order No. 495 (2022)

1. On 18 October 2022, the United Nations Appeals Tribunal issued Order No. 479 (2022) declining Mr. Ntemde's application for interim orders pending the hearing and decision of his appeal against the UNDT Judgment issued on 7 September 2022 declining relief on the grounds of non-receivability.
2. On 20 October 2022, Mr. Ntemde filed a further motion essentially seeking the same interim relief but attempting to provide more evidence of the urgency of and necessity for the orders. This second motion was denied by Order 487 (2022).
3. On 1 November 2022, Mr. Ntemde filed a third motion seeking an oral hearing before all of the Judges of the Appeals Tribunal, which was denied by Order 493 (2022).
4. In this Order 493, I noted that Mr. Ntemde was filing gratuitously insulting and irrelevant documents before this Tribunal. I further gave notice to Mr. Ntemde that if he "persist[ed] in filing repetitive vexatious motions and/or unwarranted and irrelevant documents . . . that he may face an award of costs against him for abuse of the appeals process."¹ This Order was issued to Mr. Ntemde on 28 November 2022.

¹ *Leopold Camille Yodjeu Ntemde v. Secretary-General of the United Nations*, Order No. 493 (2022), para. 10.

5. After receiving this Order, and notwithstanding the warning therein, Mr. Ntemde filed four additional documents and e-mails with the Registry on 29 and 30 November 2022. These documents were unintelligible and contained offensive allegations about many individuals.

6. On 1 December 2022, the Registrar of the United Nations Appeals Tribunal rejected these filings as manifestly inadmissible pursuant to UNAT Practice Direction No. 1, Part 1(F).

7. The Registrar's refusal was communicated in an e-mail to Mr Ntemde as follows:

The Registry has received your further filings, in which you have submitted information about your legal proceedings in Canada and have made insulting attacks on various individuals, including many who have no relationship to the United Nations.. On 15 November 2022, I advised you that these types of communications were not acceptable submissions in the appeals procedure of the United Nations Appeals Tribunal. Pursuant to the UNAT Practice Direction No. 1, Part I(F), as Registrar, I have the authority to reject filings which are manifestly inadmissible. I have reviewed the filings listed below and find that they are manifestly inadmissible because they are repetitive, irrelevant, and/or contain abusive attacks on individual persons. Email of November 29: "52 Secretaries States USA Part A #: UN Appeal Tribunal:## Public Oral Hearing in New York Justified WWII and by OAJ" Letter Update of November 29 2022 Public Oral Hearing Justified by OAJ article v 1.8 Letter of November 29 2022 Public Oral Hearing Justified by OAJ Internet Public article v 1.4 List of 18 default judgments in Canada on confessions of Criminal Activities If you wish to challenge my decision, you may file a motion directed to the President of the Tribunal, within five days of receipt of this notice.

8. On 2 December 2022, Mr. Ntemde filed an "Application for Revision of Judgment" of the Registrar's decision and a request for a public hearing on same. Mr. Ntemde attached a 162-page annex in this filing.

9. In accordance with the UNAT Practice Direction, a party may challenge the decision of the Registrar to reject filings as manifestly inadmissible by making a motion to the President within five days of receipt. Such motion may be decided without notice to the other party.

10. There are two tests that the Registrar must apply to a filing before it can be rejected as was done in Mr. Ntemde's case. The first is relevance to the substantive proceeding before the Tribunal, in this case Mr. Ntemde's appeal against the UNDT's Judgment. The second is that a pleading or other document filed must be "manifestly irrelevant" if it is to be rejected. I will examine each of these tests separately and sequentially.

11. Although the voluminous documents sought to be filed contain some arguably relevant ones, these are repetitious of others already filed which were part of the record of the UNDT that will be before this Tribunal on the appeal. It follows that their duplication is frivolous and vexatious. The remainder and vast majority of the documents sought to be filed appear to relate to proceedings in which Mr. Ntemde is or was involved in other national jurisdictions and which have no relevance to his case on appeal which is about his claim to have been appointed to a position with the United Nations. While clearly of concern to Mr. Ntemde, these documents are irrelevant in law to his appeal before the UNAT. Other documents included in the bundle consist of gratuitous attacks on, and egregious insults against, a variety of people who have no apparent connection to the litigation before this Tribunal.

12. Second, these irrelevancies are manifest, that is they are clearly and unequivocally irreceivable.

13. For completeness, and as a consequence of my decision upholding the Registrar's rejection of these documents for filing, Mr. Ntemde's motion for an oral hearing of this motion is refused.

14. Mr. Ntemde is again, and finally, warned that if he persists in attempting to file irrelevant and scandalous documents, the Tribunal is empowered to exercise, and will consider exercising, its power to award costs against him and prohibit him from filing any further pleadings except by leave in default of payment of costs so ordered, in accordance with UNAT precedent.²

² *Nounou v. Secretary-General of the United Nations*, Order No. 353 (2019).

IT IS HEREBY ORDERED that Mr. Ntemde’s “Motion for Revision of the Decision of the Registry and request for public oral hearing” pending proceedings is DENIED.

Original and Authoritative Version: English

Decision dated this 5th day of December 2022 in Auckland, New Zealand.

(Signed)
Judge Graeme Colgan,
President

Order published and entered in the Register on this 5th day of December 2022 in New York, United States.

(Signed)
Juliet Johnson,
Registrar