



**Before:** Judge Joelle Adda  
**Registry:** New York  
**Registrar:** Morten Michelsen, Officer-in-Charge

YODJEU NTEMDE

v.

SECRETARY-GENERAL  
OF THE UNITED NATIONS

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**JUDGMENT ON RECEIVABILITY**

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**Counsel for Applicant:**  
Self-represented

**Counsel for Respondent:** UN Secretariat

## **Introduction**

1. On 15 June 2022, the Applicant filed an application challenging a number of difficult to identify decisions.
2. Together with his application, the Applicant filed a copy of his request for management evaluation of the contested decisions dated 14 June 2022.

## **Consideration**

3. The Tribunal notes that pursuant to art. 8.1(d)(i)(a) of the Dispute Tribunal's Statute, applications on the merits shall be filed within "90 calendar days of the applicant's receipt of the response by management to his or her submission".
4. Article 7.1(a) of the Dispute Tribunal's Rules of Procedure similarly requires that applications shall be submitted to the Dispute Tribunal within "90 calendar days of the receipt by the applicant of the management evaluation, as appropriate".
5. The above-mentioned provisions ensure that the management evaluation unit is afforded the appropriate time to review and respond to a request for management evaluation. The Appeals Tribunal has consistently held that "the purpose of management evaluation is to afford the Administration the opportunity to correct any errors in an administrative decision so that judicial review of the administrative decision is not necessary" (see *Applicant* 2013-UNAT-381, para. 37).
6. In the current case, the Applicant only filed his request for management evaluation one calendar day before his application to the Dispute Tribunal and is yet to receive a response by management to his submission. Under staff rule 11.2(d), the Administration has 30 days to provide the management evaluation if the staff member is stationed in New York and 45 days if s/he is stationed outside New York. In the circumstances, the Applicant's application is premature and therefore not receivable.

**Conclusion**

7. In light of the foregoing, the application is dismissed.

*(Signed)*

Judge Joelle Adda

Dated this 16<sup>th</sup> day of June 2022

Entered in the Register on this 16<sup>th</sup> day of June 2022

*(Signed)*

Morten Michelsen, Officer-in-Charge, New York