



UNITED NATIONS DISPUTE TRIBUNAL

Case No.:	UNDT/NBI/2024/032
Judgment No.:	UNDT/2025/074
Date:	6 October 2025
Original:	English

Before: Judge Sean Wallace

Registry: Nairobi

Registrar: Wanda L. Carter

WYNN

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

JUDGMENT

Counsel for Applicant:

Self-represented

Counsel for Respondent:

Jérôme Blanchard, LPAS/UNOG

Procedural background

1. On 6 May 2024, the Applicant filed another application relating to her 2023-2024 education grant (“EG”) advance, registered under Case No. UNDT/NBI/2024/032.

2. She had previously filed an application relating to her 2022-2023 education grant. The Tribunal disposed of that previous case by Judgment *Wynn* UNDT/2024/029, which was subsequently appealed to the United Nations Appeals Tribunal (“UNAT”).

3. On 6 August 2024, the Tribunal, noting that most, if not all, of the issues in the present case are the same as those addressed in Judgment *Wynn* UNDT/2024/029, it issued Order No. 106 (NBI/2024) and stayed the proceedings in Case No. UNDT/NBI/2024/032 pending the outcome of the above-mentioned appeal before UNAT.

4. On 19 August 2025, UNAT published its Judgment *Wynn* 2025-UNAT-1569.

5. Pursuant to Order No. 139 (NBI/2025), the parties filed submissions on the application of the UNAT decision to the present case.

6. In his response to Order No. 139 (NBI/2025), the Respondent stated, *inter alia*, that:

Since the filing of the Respondent’s Reply in June 2024, the Education Grant 2023-2024 has been settled. Upon issuance of the UNAT Judgement, Counsel for the Respondent requested the Department of Operational Support (DOS) to re-process the Education Grant for the academic year 2023-2024 for the Applicant considering the UNAT Judgement. DOS confirmed the steps taken.

7. However, subsequent evidence indicated that “there is no further action to be taken by HR ops [Human Resources operations] in response to the UNAT inquiry.”

8. Having considered the parties’ submissions, the Tribunal is fully apprised of the facts and arguments of the parties and prepared to rule on the application.

Facts

9. The Applicant's dependent son is a student in the Virginia Commonwealth University ("VCU") in the School of Art. The Applicant receives an education grant ("EG") for this child.

10. On 1 October 2023, the Applicant submitted a request for an advance for EG for the 2023-2024 academic year. Her request for the advance included fees which she contends are mandatory for enrolment at VCU.

11. On 3 November 2023, the Human Resources Officer ("HRO") informed the Applicant that the approved amount was USD9,143.52 for EG, which was less than the Applicant requested.

Preliminary Matters

12. The Tribunal notes that the Respondent claims that the case "is moot as the initial contested decision is being reconsidered taking into account the recent UNAT Judgment". However, his subsequent submissions reveal that the Administration did not "make any amendments to the Applicant's EG claim" in response to the Appeals Tribunal decision. Thus, the matter is not moot, and the Tribunal will address the merits of Applicant's claims.

13. The Tribunal further observes that in her submissions in response to Order No. 139 (NBI/2025), the Applicant requests "to produce additional evidence from the university in the way of documents or oral testimony, if necessary, to show the school's view about whether the Art Program fee is "enrolment-related" and thus compensable under the EG scheme.

14. Of course, the issue is not how the school views various fees, but how such fees fit within the United Nations' education grant entitlement scheme. The Tribunal finds the current record to be sufficient for a resolution of the matter and thus denies the request to produce additional evidence.

Consideration

15. In its judgment, UNAT analysed the various types of fees claimed by the Applicant and established conclusively that: “in addition to the ‘Student Transition fee’ and the ‘Library fee’ that are not on appeal, the Appeals Tribunal affirms Ms. Wynn’s request in relation to the ‘Technology fee’ but dismisses all the other requests”. *Wynn, supra*, para. 92.

16. In applying that ruling to the current application, the Tribunal determines the Student Transition fee, the Library fee, and the Technology fee are admissible fees.

17. With regard to the Arts Program fee, the Appeals Tribunal found “that the ‘Arts Program fee’ cannot be considered ‘enrolment-related’ or ‘tuition-related’, as it is not an ‘administrative fee’ for enrolment, or the cost of ‘teaching’ as provided in Section 3.2 of [ST/AI/2018/Rev.1 (Education grant and related benefits)] the amended AI. Therefore, the ‘Arts Program fee’ is not an admissible expense”. *Id.* para. 87.

18. Therefore, applying this guidance to the instant case, the Tribunal finds that the Applicant’s claim for the Arts Programme fee cannot stand.

Conclusion

19. In light of the foregoing, the Tribunal DECIDES to deny the application in its entirety.

(Signed)

Judge Sean Wallace

Dated this 6th day of October 2025

Entered in the Register on this 6th day of October 2025

(Signed)

Isaac Endeley, for Wanda L. Carter, Registrar, Nairobi