



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NBI/2025/122  
Judgment No.: UNDT/2025/087  
Date: 11 November 2025  
Original: English

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**Before:** Judge Sean Wallace

**Registry:** Nairobi

**Registrar:** Wanda L. Carter

AHMED

v.

SECRETARY-GENERAL  
OF THE UNITED NATIONS

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**JUDGMENT ON RECEIVABILITY**

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**Counsel for Applicant:**

Zeeshan Ali

**Counsel for Respondent:**

UNOPS

## Introduction

1. By application filed on 6 November 2025, the Applicant contests the 31 March 2014 decision by the United Nations Office for Project Services (“UNOPS”) not awarding him a fixed term appointment (“FTA”). By the same application, he also challenges the outcome of his management evaluation request.

## Facts

2. On 31 March 2014, the Applicant was informed of the decision not to award him a fixed-term appointment.<sup>1</sup>

3. On 15 April 2025, the Applicant requested management evaluation of that decision not to award him a fixed-term appointment.

4. By email dated 20 August 2025, the Applicant was informed of the outcome of his request for management evaluation, which found the contested decision not receivable.

## Consideration

### *Application time-barred*

5. As a preliminary matter, the Tribunal notes that it is competent to raise a receivability issue on its own initiative, whether or not it has been raised by the parties (see, for instance, *O’Neill* 2011-UNAT-182, para. 31).

6. Staff rule 11.2 (c) provides that:

A request for a management evaluation shall not be receivable by the Secretary-General unless it is sent within 60 calendar days from the date on which the staff member received notification of the administrative decision to be contested. The deadline may be extended by the Secretary-General pending efforts for informal resolution conducted by the Office of the Ombudsman, under conditions specified by the Secretary-General.

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<sup>1</sup> Instead, the Applicant was offered, and accepted, an International Individual Contractor Agreement (IICA). It seems from his submission that, as a result of receiving a contract and not a fixed-term staff position, the Applicant was paid repatriation and separation entitlements from his prior fixed-term position.

7. The Appeals Tribunal in *Babiker* 2016-UNAT-672, para. 45, emphasized that the Dispute Tribunal may only review decisions that have been the subject of a proper and timely request for management evaluation. Further, pursuant to art 8.3 of its Statute, the Dispute Tribunal is not competent to waive the deadline for requesting management evaluation of the contested decision.

8. In the present application, the Applicant was notified in 2014 that he was being offered an IICA contract and not an FTA appointment. However, he did not request management evaluation until 15 April 2025, more than eleven years after the contested decision was communicated to him. The request fell well outside the 60-day deadline. Accordingly, it is not open for the Tribunal to entertain complaints that have not been presented for management evaluation in a timely manner.

*Challenging the outcome of management evaluation*

9. Further, the Applicant indicates that he is also challenging the outcome of his management evaluation request issued on 20 August 2025.

10. The Tribunal recalls that it is well-settled that a management evaluation decision is not a contestable administrative decision. See, for example, *Nastase* 2023-UNAT-1373, para. 40; *Melbiksis* 2023-UNAT-1386, para. 36; and *AEM UNDT/2025/073*, para. 15. Therefore, the Dispute Tribunal lacks jurisdiction to review the outcome of a management evaluation decision.

11. For all these reasons, the Tribunal determines that the application is not receivable.

## **Conclusion**

12. In light of the foregoing, the Tribunal DECIDES to dismiss the application in its entirety.

*(Signed)*

Judge Sean Wallace

Dated this 11<sup>th</sup> day of November 2025

Entered in the Register on this 11<sup>th</sup> day of November 2025

*(Signed)*

Wanda L. Carter, Registrar, Nairobi