



Before: Judge Francis Belle

Registry: New York

Registrar: Isaac Endeley

BABOCI

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

JUDGMENT ON RECEIVABILITY

Counsel for Applicant:

Self-represented

Counsel for Respondent:

Lucienne Pierre, AS/ALD/OHR, UN Secretariat
Fabian M. Preger, AS/ALD/OHR, UN Secretariat

Introduction

1. The Applicant is a former staff member with the United Nations Office of Counter-Terrorism (“UNOCT”) in New York. On 9 October 2025, she filed an application contesting the 7 October 2025 decision to separate her from service after she reported her first reporting officer and second reporting officer to the Office of Internal Oversight Services and the Ethics Office for “gender discrimination and abuse of authority”.
2. On 10 November 2025, the Respondent filed a reply in which he submits that the application is not receivable and that, in any event, it lacks merit.

Considerations

Receivability

3. The Respondent submits that the application is not receivable because the Applicant “failed to seek management evaluation of the contested decision”. While the Applicant “purports to challenge an administrative decision taken on 7 October 2025”, she “does not allege, nor provide evidence, that she requested management evaluation of the 7 October 2025 decision”.
4. It is well established in the jurisprudence of the Appeals Tribunal that the Dispute Tribunal has the authority to satisfy itself that an application is receivable under art. 8 of its Statute (see, for instance, *O’Neill* 2011-UNAT-182, para. 31, as affirmed in *AAX* 2024-UNAT-1504, para. 47). A determination on receivability must be made without regard to the merits of the case (see, for instance, the Appeals Tribunal in *Gehr* 2013-UNAT-313; *Christensen* 2013-UNAT-335; *Cooke* 2013-UNAT-380; *Lee* 2014-UNAT-481).
5. Pursuant to art. 8.1(c) of its Statute, the Dispute Tribunal has jurisdiction to consider an application appealing an administrative decision only when an applicant “has previously submitted the contested decision for management evaluation, where required”. Further, under art. 8.1(d)(i)(a), the application must be filed “[w]ithin 90 calendar days of the applicant’s receipt of the response by management to his or her submission”. As the Appeals Tribunal held in *Aliko* 2015-

UNAT-540, at para. 38, the Dispute Tribunal has no competence to address allegations not raised in a management evaluation request. The Appeals Tribunal also emphasized in *Babiker* 2016-UNAT-672, at para. 45, that the Dispute Tribunal has the authority “to consider *sua sponte* whether it has jurisdiction or competence to review a staff member’s application”.

6. In the present case, even though the Applicant states in her application that she was notified of the contested decision on 7 October 2025, she also asserts that she requested management evaluation of the contested decision on 20 May 2025 and that she received the management evaluation response on the same date, 20 May 2025.

7. The Tribunal has examined the management evaluation response sent to the Applicant on 20 May 2025 and annexed to the present application, and notes that it relates to a completely different administrative decision, namely the Applicant’s performance evaluation for the 2024-2025 cycle. Moreover, it predates the 7 October 2025 administrative decision contested in the present application.

8. As the Applicant has failed to show that she submitted the contested administrative in this case for management evaluation, the Tribunal lacks competence to review the application. Accordingly, the Tribunal finds that the application is not receivable.

Conclusion

9. The application is rejected as not receivable *ratione materiae*.

(Signed)

Judge Francis Belle

Dated this 8th day of December 2025

Entered in the Register on this 8th day of December 2025

(Signed)

Isaac Endeley, Registrar, New York