



**Before:** Judge Francesco Buffa

**Registry:** Nairobi

**Registrar:** Abena Kwakye-Berko

YODJEU NTEMDE

v.

SECRETARY-GENERAL  
OF THE UNITED NATIONS

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**ORDER ON A MOTION FOR  
EXTENSION OF TIME TO FILE AN  
APPLICATION**

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**Counsel for the Applicant:**  
Self-represented

**Counsel for the Respondent:**

## Introduction

1. The Applicant claims to be a former Information Human Resources Assistant at the G-5 level with the United Nations Economic Commission for Africa (“ECA”).
2. On 26 June 2023, the Applicant filed a motion for extension of time to file an application in order to have his status and benefits as a former employee at the ECA recognized by the United Nations.

## Facts

3. On 5 January 2021, the Institute for Development and Economic Planning (“IDEP”) wrote to the Applicant informing him that he was selected as a consultant in the research and training project “Debt, taxation and financing for development: immediate responses to global emergencies and efficient planning,” Dakar, Senegal.<sup>1</sup>
4. On 22 March 2021, the IDEP wrote to the Applicant and informed him that it “had to proceed with the recruitment of another consultant.”<sup>2</sup>
5. By email dated 18 August 2022, the Office of Staff Legal Assistance (“OSLA”) replied to the Applicant’s request for assistance regarding the delivery of United Nations Laissez-Passer for the Applicant and his children, informing him that “due to [his] status who is never a staff member of UN system, unfortunately OSLA is unable to assist [him] with [his] case.”<sup>3</sup>
6. The Applicant requested management evaluation<sup>4</sup> on 22 August 2022.

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<sup>1</sup> Motion, exhibit 36, end my contract March 22 2021 Consultant in the Economic Commission Africa.

<sup>2</sup> *Ibid.*,

<sup>3</sup> *Ibid.*, exhibit 39 Decision on June 24 of Office of Legal Staff Assistance that I am not former un employer.

<sup>4</sup> *Ibid.*, exhibit 38 case 4675 request for management evaluation before UNSG for management v 0.9.

7. On 23 June 2023, OSLA wrote again to the Applicant informing him that since he had never been a United Nations staff member, OSLA could not assist him.<sup>5</sup>

### **Consideration**

8. The status of United Nations staff member is a mandatory condition for access to the Dispute Tribunal.

9. Article 2.1 of the Statute of the Dispute Tribunal Provides:

The Dispute Tribunal shall be competent to hear and pass judgment on an application filed by an individual, as provided for in article 3, paragraph 1, of the present statute.

10. Article 3.1 of the Dispute Tribunal's statute provides:

An application under article 2, paragraph 1, of the present statute may be filed by:

- (a) Any staff member of the United Nations, including the United Nations Secretariat or separately administrated United Nations Fund and programmes;
- (b) Any former staff member of the United Nations, including the United Nations Secretariat or separately administrated United Nations funds and programmes;
- (c) Any person making claims in the name of an incapacitated or deceased staff member of the United Nations, including the United Nations Secretariat or separated administered United Nations funds and programmes.

11. In this case, the Applicant claims to be a former Information Human Resources Assistant at the G-5 level with the ECA and asks for an extension of time (seven days) to file an application, in order to demonstrate properly his status as a former employee at the ECA recognized by the United Nations.

12. The said status is relevant also in order to assess the legal standing by the Applicant before this Tribunal.

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<sup>5</sup>*Ibid.*,

13. The Tribunal is of the view that in the case the required extension of time to file an application is justified owing to the difficulties a former staff member, notably self-represented, can encounter in finding relevant documents; on the other side, allowing such a small extension will not cause any prejudice to the Respondent.

**Conclusion**

14. The motion is granted. Time to file the application referred to by the Applicant is extended as required, for seven days, as of the date of this order.

*(Signed)*

Judge Francesco Buffa

Dated this 30<sup>th</sup> day of June 2023

Entered in the Register on this 30<sup>th</sup> day of June 2023

*(Signed)*

Abena Kwakye-Berko, Registrar, Nairobi