
UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NBI/2016/082

Judgment No.: UNDT/2017/041

Date: 12 June 2017

Original: English

Before: Judge Nkemdilim Izuako

Registry: Nairobi

Registrar: Abena Kwakye-Berko

SAID

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

JUDGMENT ON RECEIVABILITY

Counsel for the Applicant:
Nicholas C. Christikos

Counsel for the Respondent:
Nicole Wynn, ALS/OHRM

Introduction

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21. It is settled law that timelines as stipulated in article 7.1(a) of the UNDT Rules of Procedure and article 8.1 of the UNDT Statute must be strictly observed. The United Nations Appeals Tribunal (UNAT) has clearly and consistently pronounced on the necessity of strict adherence to filing deadlines.¹ If a request for management evaluation is time-barred, the application before the UNDT is not receivable because the UNDT Statute forbids waiver of time limits for management evaluation.² UNAT has also affirmed that an untimely request for management evaluation bars applications before the Tribunal even if management evaluation was actually received.³

22. Article 8.4 of the Tribunal's Statute provides that the Tribunal shall

earlier decision from the making of an entirely new administrative decision”.

30. On the facts of the present case, the Applicant was informed in February 2007 that his promotion must follow a competitive recruitment process. The contention that he should have been promoted to the G-