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7. The Tribunal, on 14 April 2016, requested the Applicant, again, to file a copy of his request for management evaluation, if any.

8. The Applicant informed the Tribunal on 19 April 2016 that he had not filed such a request.

#### **Applicant's submissions**

9. In his 19 April 2016 submission, the Applicant argues that he was not informed that "a formal administrative review would be required", adding that "UNOV/UNODC did not respond properly to [his] challenge and [his] explicit request for an administrative decision", and that past experience shows that the Administration refrains from adequately responding to such requests.

#### **Consideration**

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13. Furthermore, pursuant to art. 8.3 of its Statute, and equally to the established jurisprudence of the Appeals Tribunal, the Dispute Tribunal has no discretion to waive the deadline for management evaluation or administrative review (*Costa* 2010-UNAT-036; *Johnson* 2012-UNAT-260; *Ortiz* 2013-UNAT-368; *Estrella* 2014-UNAT-402).

14. It results from the documents filed by the Applicant, that the decision he wants to contest was notified to him on or before 10 February 2016; at the time of his filing the application, he had not submitted a request for management evaluation. Based on the deadline to do so as per staff rule 11.2(c), he is no longer in a position to request management evaluation in a timely way. Therefore, the application is irreceivable, *ratione temporis*.

15. With respect to the Applicant's argument that he was not informed that he had to make a formal request for review, the Tribunal recalls what the Appeals Tribunal held in *Smith* 2010-UNAT-067, namely that ignorance of the law is no excuse, and that every staff member is deemed to be aware of the provisions of the Staff Rules.

16. It results from the foregoing, that the present application being irreceivable *ratione temporis*, the Tribunal is not competent to consider it.

17. The above is a matter of law, which may be adjudicated even without serving the application to the Respondent for reply, and even if it was not raised by the parties (see *Ghera*).

