



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NBI/2020/050

Judgment No.: UNDT/2020/112

Date: 8 July 2020

Original: English

Before: Judge Eleanor Donaldson-Honeywell

Registry: Nairobi

Registrar: Abena Kwakye-Berko

YOUNIS

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

JUDGMENT ON RECEIVABILITY

Counsel for Applicant:
Self-represented

Counsel for Respondent:
AAS/ALD/OHR

Introduction and Procedural History

1. The Applicant is the Chief Transport Officer at the United Nations Mission in Darfur (“UNAMID”). He serves at the P-5 level on a continuing appointment and is based in El Fasher.
2. On 1 July 2020, he filed an application with the United Nations Dispute Tribunal sitting in Nairobi to challenge the Respondent’s interpretation of rules pertaining to unpaid daily subsistence allowance and other travel expense entitlements.
3. The Applicant had sought review of the impugned decision by the Management Evaluation Unit on 1 November 2019, but did not receive a response until 23 June 2020.

Considerations

4. Article 8(1)(d)(i)(b) of the UNDT Statute stipulates that an application is receivable before the UNDT when it is filed:

Within 90 calendar days of the expiry of the relevant response period for the management evaluation if no response to the request was provided. The response period shall be 30 calendar days after the submission of the decision to management evaluation for disputes arising at Headquarters and 45 calendar days for other offices.

5. It follows from this statutory stipulation that the deadline for the filing of this application was 16 March 2020.
6. This application is therefore time barred, and cannot be considered further by this Tribunal.

Conclusion

7. The Tribunal rejects the application as not receivable.

(Signed)

Judge Eleanor Donaldson-Honeywell

Dated this 8th day of July 2020

Entered in the Register on this 8th day of July 2020

(Signed)

Abena Kwakye-Berko, Registrar, Nairobi