



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NBI/2025/085  
Order No.: 125 (NBI/2025)  
Date: 14 August 2025  
Original: English

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**Before:** Judge Sean Wallace

**Registry:** Nairobi

**Registrar:** Wanda L. Carter

NGAMBEMI

v.

SECRETARY-GENERAL  
OF THE UNITED NATIONS

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**ORDERS  
ON RECEIVABILITY**

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**Counsel for Applicant:**

Self-represented

**Counsel for Respondent:**

WFP

## **Introduction**

1. The Applicant is a Procurement Associate with the World Food Programme (“WFP”) based in Brazzaville, Republic of Congo challenging the organization’s decision to abolish her post.
2. On 14 May 2025, the Applicant received notification from the Representative and Country Director for WFP that the post she encumbered would be abolished effective 30 September 2025, “as part of the ongoing organisational restructuring”. A follow-up letter was sent on 1 August 2025 confirming the abolition of the post and contract termination.
3. On 7 August 2025, the Applicant wrote to the director contesting the results of the Country’s Strategic Plan (CSP/SRE) process and requested a re-examination of the procedures leading to the abolition of her post.
4. On 8 August the director responded, upholding the SRE process and denying Applicant’s request for administrative review of the decision.
5. On 13 August 2025, the Applicant filed the present application with the UNDT.

## **Consideration**

6. Art. 3.1 of the Dispute Tribunal’s Statute provides inter alia that an application under art. 2.1 of the Statute may be filed by “any staff member” and “any former staff member” of the United Nations, “including the United Nations Secretariat or separately administered United Nations funds and programmes”.
7. The above-mentioned rule is a general one, applicable unless a specific different provision is given in relation to the specific fund or programme concerned.
8. Art. VIII of the WFP General Regulations and General Rules provides that WFP is an autonomous joint subsidiary programme of the United Nations and the Food and Agriculture Organization of the United Nations (“FAO”).

9. Art. VII.6 of the WFP General Regulations and General Rules provides that the “Executive Director shall administer the staff of WFP in accordance with FAO Staff Regulations and Rules and such special rules as may be established by the Executive Director in agreement with the Secretary-General and the Director-General”. Therefore, FAO Staff Regulations and Rules apply *mutatis mutandis* to WFP.

10. The Tribunal notes that under section 301.11.2 of the FAO Staff Regulations,

The International Labour Organisation Administrative Tribunal [“ILOAT”] shall, under conditions prescribed in its Statute ... hear and pass judgement upon applications from staff members alleging non-observance of their terms and conditions of appointment, including all pertinent Regulations and Rules.

11. Since the Applicant was inarguably employed by WFP, her claim shall be dealt with in accordance with the FAO Staff Regulations and Rules. Accordingly, her claim falls within ILOAT’s jurisdiction and not within the jurisdiction of this Tribunal.

12. This Tribunal has already addressed the issue of its jurisdiction over WFP staff members in *Mukendi* Order No. 174 (NBI/2016), whereby it observed that “[o]n 1 July 2014, the Respondent transferred its national staff members ... from appointments governed by the United Nations Staff Regulations and Rules, to those governed by the FAO Staff Regulations and Rules”, recognizing therefore the ILOAT jurisdiction.

13. Furthermore, the United Nations Appeals Tribunal (“UNAT”) in *Iskandar*, 2011-UNAT-116 para. 23, with reference to a former staff member of WFP, acknowledged that “WFP recognizes the jurisdiction of ILOAT to hear appeals against administrative decisions by WFP’s internationally recruited staff members” (so confirming the findings on this point in *Iskandar* UNDT/2010/100, paras. 41 to 44).

14. Consequently, the Tribunal finds that it does not have jurisdiction to consider the present application.

**Conclusion**

In view of the foregoing, it is ORDERED THAT:

15. The application is not receivable for want of jurisdiction.

*(Signed)*

Judge Sean Wallace

Dated this 14<sup>th</sup> day of August 2025

Entered in the Register on this 14<sup>th</sup> day of August 2025

*(Signed)*

Wanda L. Carter, Registrar, Nairobi