



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NBI/2025/083
Order No.: 126 (NBI/2025)
Date: 14 August 2025
Original: English

Before: Judge Sean Wallace

Registry: Nairobi

Registrar: Wanda L. Carter

MAJOOK

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**ORDER
ON RECEIVABILITY**

Counsel for Applicant:

Self-represented

Counsel for Respondent:

DAS/ALD/OHR, UN Secretariat

Introduction

1. On 12 August 2025, the Applicant, a Warehouse Assistant with the United Nations (peacekeeping) Mission in South Sudan (“UNMISS”), filed this application challenging a “denial of [his] right to pension benefits”.
2. According to the “Statement of Claim” attached to his application, the Applicant was serving on a temporary appointment with UNMISS until his separation on 31 October 2012.
3. On 14 July 2025, the Applicant received an email from a Benefits Assistant with the United Nations Joint Staff Pension Fund (“UNJSPF”) indicating that his benefits had been paid on 4 August 2022.
4. On 20 July 2025, the Applicant submitted a management evaluation request to the Management Advice and Evaluation Section (“MAES”), denying receipt of a pension payment. On 31 July, MAES acknowledged receipt of the Applicant’s correspondence, and advised him that his file was being closed as the matter was not subject to management evaluation under the staff rules.

Consideration

5. In support of his application, the Applicant attached a PDF of an email screenshot from Devyanti Djie, a Benefits Assistant with UNJSPF, which read – in its entirety:

Dear Mr. Majook,

It shows that your benefit has been paid on 04 August 2022 and there is no other benefit payable to you.

Best regards,

Devy.

6. The MAES response advised the Applicant to “request further assistance directly from ... Benefits Officer at UNJSPF for further details regarding the

payment or contact the office of the Ombudsman and Mediation Services ... for their assistance in resolving the matter”.

7. The Tribunal further notes that the Applicant attached to his application a 2 December 2021 memorandum from the UNMISS Human Resources Office to the South Sudan Ministry of Foreign Affairs in which it indicates that the Applicant had submitted bank information on 29 September 2021 to enable UNJSPF to process his pension entitlements, which would be paid directly into his account by UNJSPF.

8. The Applicant does not present any evidence that he followed up with the officer recommended by MAES or contacted UNOMS or UNMISS Human Resources to resolve the matter before filing this application before the Tribunal.

9. Article 2(a) of the UNDT statute gives it authority to hear and pass judgment on applications which “appeal an administrative decision that is alleged to be in non-compliance with the terms of appointment or the contract of employment”.

10. The email from the UNJSPF Benefits Officer relied upon by the Applicant does not constitute a decision - administrative or otherwise. At most, the email is a mere statement of fact which the Applicant can choose to accept or solicit further details on. Further, as indicated by MAES, the UNJSPF email cannot constitute a decision by the Secretary-General.

11. Accordingly, the Tribunal is not competent to hear and pass judgment on the information contained in the email.

12. The Tribunal further considers that even if the UNJSPF email were to be considered an administrative decision, the Tribunal does not have subject-matter jurisdiction over applications which seek to contest a UNJSPF determination.

13. Pursuant to Article 9(a) of the Statute of the United Nations Appeals Tribunal, UNAT is competent to hear and pass judgments in cases where a staff member participant in the Fund alleges non-observance with the UNJSPF regulations.

Conclusion

In view of the foregoing, it is ORDERED THAT:

14. The application is dismissed in its entirety as non-receivable.

(Signed)

Judge Sean Wallace

Dated this 14th day of August 2025

Entered in the Register on this 14th day of August 2025

(Signed)

Wanda L. Carter, Registrar, Nairobi