

UNDT/2023/073, LEOPOLD CAMILLE YODJEU NTEMDE (THE SON OF GOD THE HOLY GRAIL THE KING OF THIS WORLD)

UNAT Held or UNDT Pronouncements

- i. The Tribunal noted that based on the evidence on the record, the Applicant was never a staff member of ECA, DOS or any other entity of the United Nations. Accordingly, he had no *locus standi* before the Tribunal. The application was thus dismissed.
- ii. The Tribunal also held that the application was barred by *res judicata*. It was recalled that the Tribunal had previously rejected an application by the Applicant contesting the same claims he raised in the present application. In Judgment No. UNDT/2022/078, the Tribunal had found that the Applicant was not a staff member and had no legal standing before it. Accordingly, his application was found non receivable *ratione personae*.
- iii. Further, the Tribunal found the application not receivable *ratione materiae*. Based on the evidence on file, the contested decisions, both ECA and DOS were taken in March and October 2021 respectively. The Applicant requested management evaluation on 22 August 2022, more than a year later. Accordingly, the Tribunal held that the application was not receivable because the Applicant did not request management evaluation within the 60-day statutory period of staff rule 11.2(c).

Decision Contested or Judgment/Order Appealed

The Applicant filed an application requesting to be recognized as a former Human Resources Assistant at the G-5 level with the United Nations Economic Commission for Africa (“ECA”). He further requested to be recognized as a current staff member working with the Department of Operational Support (“DOS”). With this recognition, the Applicant expected to obtain benefits that go with the status of former United Nations employees, including being assisted by the Office of Staff Legal Assistance (“OSLA”). Further, with this recognition, the Applicant envisaged obtaining a compensation of approximately USD500,000 of what he termed as lost salary income since 2021.

Legal Principle(s)

- i. Pursuant to articles 2.1(a) and 3 of the United Nations Dispute Tribunal Statute (UNDT), the jurisdiction of the Tribunal is limited to persons who are staff members of the United Nations or who were former staff members. UNDT jurisdiction does not include applications from non-staff members.
- ii. The Tribunal may not entertain a matter it had already litigated. Such an application would be barred by *res judicata*.
- iii. Pursuant to staff rule 11.2(c), a request for a management evaluation shall not be receivable by the Secretary-General unless it is sent within 60 calendar days from the date on which the staff member received the notification of the administrative decision to be contested.

Outcome

Dismissed as not receivable

Full judgment

[Full judgment](#)

Applicants/Appellants

LEOPOLD CAMILLE YODJEU NTEMDE (THE SON OF GOD THE HOLY GRAIL THE KING OF THIS WORLD)

Entity

ECA

UN Secretariat

Case Number(s)

UNDT/NBI/2023/051

Tribunal

UNDT

Registry

Nairobi

Date of Judgement

20 Jul 2023

Duty Judge

Judge Wallace

Language of Judgment

English

Appeal Status

Appealed

Issuance Type

Judgment

Categories/Subcategories

Implied administrative decision

Administrative decision

Applicable Law

Staff Rules

- Rule 1.2(a)

UNDT Statute

- Article 3

Related Judgments and Orders

2013-UNAT-335

UNDT/2022/078