



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NBI/2025/044
Judgment No.: UNDT/2025/020
Date: 8 May 2025
Original: English

Before: Judge Margaret Tibulya

Registry: Nairobi

Registrar: Wanda L. Carter

HASSAN

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

JUDGMENT ON RECEIVABILITY

Counsel for Applicant:

Koi-Tchem Fidele

Counsel for Respondent:

AS/ALD/OHR/DMSPC

Introduction

1. The Applicant, a former staff member of the Organization, on 24 April 2025, filed documents purportedly claiming monetary damages amounting to USD3 million for intangible stress caused to him by the Administration for failing to provide him personal security measures following a 2009 incident of perceived threat.
2. On 29 April 2025, the Registry advised the Applicant to file a proper application and use the prescribed form. The Registry also advised the Applicant to provide copies of the contested decision, the management evaluation request and the response to his management evaluation request.
3. On 5 May 2025, the Applicant filed the documents as he was advised.

Consideration

4. As a preliminary matter, the Tribunal notes that it is competent to raise a receivability issue on its own initiative, whether or not it has been raised by the parties (*O'Neill* 2011-UNAT-182, para. 31).
5. Article 8.1(d)(ii) of the Dispute Tribunal's Statute provides that an application is receivable if filed within 90 calendar days of the staff member's receipt of the administrative decision, in cases where a management evaluation of the contested decision is not required.
6. The evidence before the Tribunal, supplied by the Applicant himself shows that the contested decision was taken on 17 April 2011. The Application was filed in 2025. The application is manifestly time-barred. The Tribunal, therefore, finds that the application is not receivable *ratione temporis*.

Conclusion

7. The application is rejected.

(Signed)

Judge Margaret Tibulya

Dated this 8th day of May 2025

Entered in the Register on this 8th day of May 2025

(Signed)

Wanda L. Carter, Registrar, Nairobi