



JUDGE ABDELMOHSEN SHEHA , PRESIDING .

1. Mr. Hydar Daniel Mlouk Majook, <sup>1</sup> a former individual contractor and former national stafff95m (-163f)2.3-



Submissions

Appellant's Appeal

13. Mr. Majook requests this Tribunal to overturn the impugned Judgment and review the contested Decisions on the merits.

14. Mr. Majook argues that the UNDT exceeded its jurisdiction as his application was not contesting a decision, but rather was directed towards obtaining a right related to his employment. He further contends that the UNDT made an error in fact and in law when it dismissed his application, denying his rights under the United Nations internal justice system and ignoring the decisions that affected him. He finally claims that he did not submit a timely application with the UNDT because he was not aware of that forum. o f i - 2 . 8 7 T - 0 . 4 . 8 1 9 T / T T 5 2 8 f T w

20. The power of the UNAT to hold oral hearings, on its own motion or on written application of a party, is recognized in Article 8 of its Statute and Article









Tribunal.<sup>18</sup> However, as previously held, Mr. Majook’s application was not receivable *ratione personae* in part and not receivable *ratione materiae* in the remaining part. Therefore, his argument with regard to his ignorance of the UNDT has no relevance. In any event, the ground for appeal raised by the Appellant does not have a chance to succeed because, as per our abundant jurisprudence, “it is the staff member’s responsibility to ensure that [he or] she is aware of the applicable procedure in the context of the administration of justice at the United Nations. Ignorance cannot be invoked as an excuse.”<sup>19</sup>

38. In light of the foregoing, the appeal must fail.

#### Judgment

39. The appeal is dismissed, and Judgment No. UNDT/2023/002 is hereby affirmed.

Original and Authoritative Version: English

Dated this 22<sup>nd</sup> day of March 2024 in New York, United States.

(Signed)

Judge Shehā, Presiding

(Signed)

Judge Gao

(Signed)

Judge Colgan

Judgment published and entered into the Register on this 8<sup>th</sup> day of April 2024 in New York, United States.

(Signed)

Juliet E. Johnson, Registrar

---

<sup>18</sup> Appeal form, Section IV, para. 12.

<sup>19</sup> Christensen v. Secretary-General of the United Nations, Judgment No. 2012-UNAT-218, para. 39 (internal citation omitted).