

Case No.: UNDT/NBI/2015/086

Judgment No.: UNDT/2015/072

11 August 2015

Original: English

Before: Judge David Boolell

Registry: Nairobi

Registrar: Abena Kwakye-Berko

COLLINS

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

JUDGMENT ON RECEIVABILITY

Counsel for the Applicant:

Self-represented

Counsel for the Respondent:

UNDP

Introduction

1. By Application filed on 5 August 2015, the Applicant, a former staff member of the United Nations Development Programme (UNDP), contests the decision to abolish the post she was encumbering as the Assistant to the UNDP Deputy Country Director in Accra, Ghana.

2. In her Application, the Applicant indicates that she has not filed a request for management evaluation because when she tried to ask questions about the letter informing her of the termination of her appointment, she was humiliated by the Deputy Country Director of Operations in UNDP, Ghana.

Considerations

3. Article 8.1 (c) of the Statute of the Dispute Tribunal stipulates that “[a]n apphen she ET Q q BT /()-91(o)-3-9(e)-3(s)5()-91(th)9(a)-3 U28 Tf 0 aq28 Tf 0 aq28 Tf 0 aq28

c. where the substance of the dispute has been settled and the complainant has obtained the appropriate remedy.

7. In the case of *Lee*¹, the Dispute Tribunal issued a summary judgment on its own initiative without waiting for the answer of the Secretary-General to the party's application pursuant to art. 9 of the Rules of Procedure. The Appeals Tribunal held that "the Dispute Tribunal correctly concluded that Ms. Lee's application was not receivable *ratione materiae* because it challenged a decision that was not an administrative decision subject

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(Signed)

Judge Vinod Boolell

Dated this 11th day of August 2015

Entered in the Register on this 11th day of August 2015

(Signed)

Abena Kwakye-Berko, Registrar, Nairobi