
**UNITED NATIONS APPEALS TRIBUNAL
TRIBUNAL D'APPEL DES NATIONS UNIES**

Judgment No. 2022-UNAT-1287



**Yussuf Ahmed Hassan
(Appellant)**

v.

Secretary-General of the United Nations

Counsel for Appellant: Charles Kanjama

Counsel for Respondent: Patricia C. Aragonés

The UNAT Appeal

8. On 26 November 2021, Mr. Hassan submitted an appeal of the impugned Judgment.
9. On 1 February 2022, the Secretary-General submitted an answer to the appeal.

Submissions

Mr. Hassan's Appeal

10. Mr. Hassan submits that the UNDT erred on a question of law in finding that it was not competent to rule on the application.

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25. The Secretary-General submits that no due process rights were breached in the recruitment process, noting that the Appeals Tribunal rejected a similar “failure to be heard” due process challenge in *Arango*¹¹.

26. On Mr. Hassan’s claim of error of procedure by the UNDT in dismissing the case, the Secretary-General submits that the UNDT .7 H40 Td(G)-8.2 (e)-4.4 (ne)(h)-3.(d)-0.y(an’)-3.6 (s c.3 ()t8)1.3 ral

31. Thus, the Appeals Tribunal does not find that an oral hearing would “assist in the expeditious and fair disposal of the case”, as required by Article 18(1) of the Rules. Accordingly, the request for an oral hearing is rejected.

Lawfulness of the UNDT summary judgment

32. The decision by the Dispute Tribunal to dismiss Mr. Hassan’s application as irreceivable is not tainted by any of the errors set forth in Article 2(1) of the Statute, which are the only grounds of appeal at the disposal of the

that Mr. Hassan's application was not receivable *ratione personae*. In *Ghahremani*, the Appeals Tribunal held that a former staff member of the Organization who brings an application which does not allege that the contested decision was not in compliance with his prior terms of appointment does not have standing, because the application has no bearing on the individual's former status as a staff member, thus rendering the application not receivable *ratione personae*.¹⁵ So too is the case here.

42. At the time of the contested non-selection decision Mr. Hassan had been separated from service for more than a

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