

UNITED NATIONS DISPUTE TRIBUNAL

## Introduction

1. On 20 March 2023, the Applicant, a former Child Protection Officer at the P-2 level, filed an application contesting the non-extension of his Temporary Appointment (“TA”) with the United Nations Stabilization Mission in the Democratic Republic of Congo (“MONUSCO”) in Goma beyond 25 February 2023.
2. On 23 March 2023, the Respondent filled his motion for summary judgment in which he contends that the application is premature and not receivable *rationae materiae* because of the pendency of management evaluation.

## Facts

3. On 16 January 2023, a MONUSCO Human Resources Officer (“HRS”) sent the Applicant a check out notification with a separation Memorandum informing him of the expiration of his TA on 30 January 2023.<sup>1</sup>
4. Following the non-extension of his TA, the Applicant was separated from MONUSCO on 25 February 2023.<sup>2</sup>
5. On 13 March 2023, the Applicant requested management evaluation of the contested decision.<sup>3</sup> The management evaluation response is due on 27 April 2023.

## Considerations

6. Staff rule 11.2(a) and art. 8.1(c) of the UNDT Statute provide that a staff member wishing to contest an administrative decision is required to submit a written request for management evaluation to the Secretary-General. The time limits for filing an application run from the receipt of the management evaluation or expiry of the deadline to issue it.

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<sup>1</sup>Application, annex entitled *Separation documents sent to me by Mathieu. Msg (Interoffice Memorandum* dated 16 January 2023).

<sup>2</sup>Application, annex entitled *Separation documents sent to me by Mathieu. Msg (Interoffice Memorandum* dated 25 February 2023).

<sup>3</sup>Application, sec. VII, page 6, paras 9; Reply, annex R/1.



Entered in the Register on this 5<sup>th</sup> day of April 2023

*(Signed)*

Abena Kwakye-Berko, Registrar, Nairobi