

Introduction

1. By application dated 22 April 2010, the applicant contested before the United Nations Dispute Tribunal (UNDT) the decisions:
 - a. To reject, on 15 April 2009, the applicant's request for five days of annual leave;
 - b. Not to renew the applicant's fixed-term appointment beyond 18 August 2009.

Facts

2. The applicant joined the Organization on 19 October 1991. He first served in the United Nations Iraq-Kuwait Observation Mission (UNIKOM) and later in various other missions. He started serving at the United Nations Assistance Mission for Iraq (UNAMI) on 19 February 2007, as a Fuel Supply Assistant at the FS-3 level under a fixed-term appointment. His contract, which initially covered a six-month period, was renewed on several occasions.
3. By memorandum dated 20 October 2008, the Chief, Mission Support,

Considerations

22. The present application is aimed against two distinct administrative decisions: the rejection of the applicant's request for five days of annual leave, dated 15 April 2009, on the one hand, and the non-renewal of the applicant's fixed-term appointment beyond 18 August 2009, dated 13 July 2009, on the other hand.

23. The application is irreceivable as far as it concerns the decision to reject the applicant's request for annual leave, for it was at no point submitted for management evaluation, as required by article 8.1 (c) of the Tribunal's statute (see (UNDT/2009/070, Planas; UNDT/2009/054, Nwuke; UNDT/2009/035, Caldarone)). The only request for management evaluation presented at the time by the applicant was dated 2 August 2009 and contested exclusively the decision not to renew his appointment. While reference was indeed made to the refusal by the applicant's second reporting officer to authorize the requested annual leave, it is patent that this episode was mentioned as factual background in order to substantiate the alleged unlawful character of the non-renewal decision, and was not singled out for review.

24. Even assuming that the above-mentioned request for management evaluation may be regarded as contesting the refusal to grant five days of annual leave as well, such request would have been time-barred. The decision in question was made on 15 April 2009, whereas the applicant's request for management evaluation was dated 2 August 2009. This is far beyond the sixty-day time limit set in provisional staff rule 11.2 (c) for that purpose.

25. As regards the decision not to renew the applicant's appointment beyond

31. In light of the above, the Tribunal must conclude that the application is irreceivable in its entirety. Concerning the first decision impugned, i.e., the rejection of the applicant's request for five days of annual leave, this decision was never submitted for management evaluation, and assuming it was, further to the applicant's request dated 2 AHH(B LkYc-vMFMBCLk-vFYFYv-,-BALkBsLFv--H-FB,LkFvycyzHB L