

Introduction

/FA4Tj ()T0078160 T901T /

1. By application filed on 31 January 2020, the Applicant contests a decision on 0186 TDcerning5

determining the receivability of an application. The Appeals Tribunal went on to state:

This competence can be exercised even if the parties of the administrative authorities do not raise the issue, because it constitutes a matter of law and the Statute prevents the UNDT from receiving a case which is actually non-receivable.

7. The Tribunal has, accordingly, chosen to proceed by way of a judgment on receivability as it is competent to raise the issue of jurisdiction *sua sponte*.

8. In her application, the Applicant argues that she was not paid the full amount due for her services as a Consultant. She claims that even though she started working in March 2010, she was only paid as of May 2010 when she received her contract.

9. The Tribunal has reviewed the present application and finds that it is not receivable *ratione temporis* and *ratione personae*.

10. The Tribunal notes that while the Applicant contests a decision that took place in 2010, she only filed an application with the Tribunal in January 2020, that is around 10 years later.

11. The record shows that the Applicant requested management evaluation of the contested decision on 30 January 2020 and that she received a response on 31 January 2020 indicating that her request for management evaluation was time-barred. The same day, she filed the present application before the Tribunal.

12. In accordance with art. 8.4 of the Tribunal's Statute and art. 7.6 of its Rules of Procedure, an application shall not be receivable if it is filed more than three years after the applicant's receipt of the contested administrative decision. The Applicant has clearly indicated in her application that the contested decision dates back to 2010 and, in such circumstances, her application is not receivable *ratione temporis*.

13. Furthermore, the Tribunal observes that while the Applicant indicated in her application that she was a staff member of the Organization, she contests, in fact, a decision related to her status as a Consultant. However, pursuant to articles 2.1 and 3.1 of the Tribunal's Statute, the status of a staff member is a necessary condition for access to the Tribunal. ~~Indicated~~

Case No.