

# **UNDT/2010/018, D'Hellencourt**

## UNAT Held or UNDT Pronouncements

The Tribunal examined whether the application contained an administrative decision falling under the purview of Article 2.1 (a) of the UNDT Statute. The Tribunal took the view that the decision taken by the administration to appoint an ad interim DCPM and to reallocate responsibilities and duties pursuant to that appointment was an administrative decision. Nevertheless, for the purposes of Article 2.1 (a) of the UNDT Statute, the Tribunal stated that it is not sufficient for the Applicant to merely establish that an administrative decision was taken in the overall context of the position she holds or held. The Tribunal noted that while the Secretary-General has the discretion to take decisions.

## Decision Contested or Judgment/Order Appealed

The Applicant challenged a decision transferring the responsibilities incumbent to her to another staff member.

## Legal Principle(s)

N/A

## Outcome

Dismissed as not receivable

## Full judgment

[Full judgment](#)

## Applicants/Appellants

D'Hellencourt

## Entity

UN-Habitat

## Case Number(s)

UNDT/NBI/2009/11 Judgment on the merits Agency UN-HABITAT

## Tribunal

UNDT

## Registry

Nairobi

## Date of Judgement

29 Jan 2010

## Duty Judge

Judge Boolell

## Language of Judgment

English

French

## Issuance Type

Judgment

## Categories/Subcategories

Jurisdiction / receivability (UNDT or first instance)

Subject matter (ratione materiae)

Reassignment or transfer

Discretion

## Applicable Law

### Staff Regulations

- Regulation 1.2(c)

### Staff Rules

- Rule 11.4(a)
- Rule 11.4(g)

### UN Charter

- Article 101.3

### UNDT Statute

### UNAT Statute

- Article 2.1(a)

## Related Judgments and Orders

UNDT/2010/010

UNDT/2009/090