

UNDT/2010/049, Abdallah

UNAT Held or UNDT Pronouncements

The Tribunal is satisfied by the evidence tendered before it in respect of the Applicant's chronic absences. The Tribunal is not convinced that the reasons proffered by the Applicant to explain his unauthorized absences were beyond his control. The Tribunal considers that the Applicant was given ample opportunity to address this performance shortcoming. The Tribunal is satisfied, in consideration of the requirements of section 8.3 of ST/AI/2002/3, that the ICTR Administration had taken steps to rectify the situation in respect of the Applicant's chronic absenteeism.

Decision Contested or Judgment/Order Appealed

The Applicant contested the decision not to renew his fixed-term appointment.

Legal Principle(s)

N/A

Outcome

Dismissed on merits

Full judgment

[Full judgment](#)

Applicants/Appellants

Abdallah

Entity

ICTR

Case Number(s)

UNDT/NBI/2009/063

Tribunal

UNDT

Registry

Nairobi

Date of Judgement

30 Mar 2010

Duty Judge

Judge Izuako

Language of Judgment

English

French

Issuance Type

Judgment

Categories/Subcategories

Non-renewal

Arbitrary or improper motive

No expectancy of renewal

Separation from service

Applicable Law

Former Staff Rules

- Rule 104.12
- Rule 105.1(b)
- Rule 106.2(c)

Information Circulars

- ST/IC/2007/24

Staff Rules

- Rule 101.3(a)