

UNDT/2010/145, Basenko

UNAT Held or UNDT Pronouncements

Pursuant to articles 2.1 and 3.1 of the Statute of the UNDT, the status of staff member is a necessary condition for access to the Tribunal. This is in line with General Assembly resolution 63/253 which intentionally limited the Tribunal's jurisdiction. In this case, the application is not receivable *ratione personae* since the applicant never became a staff member. The applicant's references to provisions of the Charter of the United Nations are without merit in this respect.

Decision Contested or Judgment/Order Appealed

The applicant contested the decision to withdraw an offer for an unpaid internship with the United Nations Office at Vienna.

Legal Principle(s)

N/A

Outcome

Dismissed as not receivable

Full judgment

[Full judgment](#)

Applicants/Appellants

Basenko

Entity

UNODC

Case Number(s)

UNDT/GVA/2010/084

Tribunal

UNDT

Registry

Geneva

Date of Judgement

13 Aug 2010

Duty Judge

Judge Laker

Language of Judgment

English

French

Issuance Type

Judgment

Categories/Subcategories

Jurisdiction / receivability (UNDT or first instance)

Personal (ratione personae)

Applicable Law

GA Resolutions

- A/RES/63/253
- A/RES/64/233

UN Charter

- Article 103
- Article 55
- Article 76

UNDT Statute

- Article 2.1
- Article 3.1

Related Judgments and Orders

2010-UNAT-008

UNDT/2010/098

UNDT/2010/142