

# **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