

UNDT/2011/043, Zewdu

UNAT Held or UNDT Pronouncements

Applicants have a duty to pursue their causes of action promptly. Delay can cause considerable uncertainty and inconvenience not only for the Respondent but for third parties as well. The Applicant's fears of retaliation due to the non-existence of administrative machinery to protect him at the material times are not justified. This Application is not receivable as it was filed more than the three years stipulated under Article 8(4) of the Statute of the Dispute Tribunal after the Applicant's receipt of the contested administrative decision. In addition, the facts in this case would not have justified the tolling of the limitations of time and would only cause considerable uncertainty and inconvenience not only for the Respondent but for third parties such as other staff members in the UNECA Safety and Security Section. The Tribunal finds that this Application is time-barred and not receivable.

Decision Contested or Judgment/Order Appealed

In his Application dated 26 March 2010, the Applicant is contesting an administrative decision dated 26 September 2001 transferring him out of the UNECA Security and Safety Section.

Legal Principle(s)

N/A

Outcome

Dismissed as not receivable

Full judgment

[Full judgment](#)

Applicants/Appellants

Zewdu

Entity

UNECA

Case Number(s)

UNDT/NBI/2010/049

Tribunal

UNDT

Registry

Nairobi

Date of Judgement

2 Mar 2011

Duty Judge

Judge Izuako

Language of Judgment

English

French

Issuance Type

Judgment

Categories/Subcategories

Jurisdiction / receivability (UNDT or first instance)

Temporal (ratione temporis)

Applicable Law

Secretary-General's bulletins

- ST/SGB/2008/5

UNDT Statute

- Article 8.3
- Article 8.4

Related Judgments and Orders

2010-UNAT-036

2010-UNAT-079

2010-UNAT-013