

UNDT/2011/053, Warintarawat

UNAT Held or UNDT Pronouncements

Regulatory decisions v. individual administrative decisions: An applicant may plead the unlawfulness of a regulatory decision only in the context of an appeal against an individual administrative decision taken on the basis of such regulatory decision. The Tribunal may not rescind a regulatory decision.

Decision Contested or Judgment/Order Appealed

The Applicant contested and requested the rescission of (i) the decision to outsource to an external service provider the adjudication of medical claims for the UN Medical Insurance Plan (MIP) for National Staff, and (ii) the decision requiring MIP beneficiaries in Thailand to submit medical receipts and certificates in English or with an English translation. The Tribunal found that the contested decisions were organizational measures that did not have a direct and immediate effect on the Applicant's terms of appointment and therefore rejected the application as irreceivable.

Legal Principle(s)

N/A

Outcome

Dismissed as not receivable

Full judgment

[Full judgment](#)

Applicants/Appellants

Warintarawat

Entity

ESCAP

Case Number(s)

UNDT/GVA/2010/006

Tribunal

UNDT

Registry

Geneva

Date of Judgement

14 Mar 2011

Duty Judge

Judge Cousin

Language of Judgment

English

French

Issuance Type

Judgment

Categories/Subcategories

TEST -Rename- Benefits and entitlements-45

Jurisdiction / receivability (UNDT or first instance)

Subject matter (ratione materiae)

Applicable Law

UNDT Statute

UNAT Statute

- Article 2.1(a)