

# **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

Benefits and entitlements

Jurisdiction / receivability (UNDT or first instance)

Subject matter (*ratione materiae*)

## Applicable Law

UNDT Statute

UNAT Statute

- Article 2.1(a)