

UNDT/2011/082, Nwokeabia

UNAT Held or UNDT Pronouncements

When the Administration takes a decision which confirms an initial decision, the time limit to contest the decision starts to run from the date of the initial decision. In the case at hand, while the Applicant was notified of the contested decision on 2 November 2009, he only requested management evaluation of this decision on 31 March 2010. He thus failed to comply with the established time limit to request management evaluation. When a staff member wishes to contest a decision which, in his view, is unlawful because of the incompetence of the body which took the decision, he/she should request management evaluation of that decision on the grounds of the incompetence of the decision maker, instead of requesting the Administration to correct the error by a new decision.

Decision Contested or Judgment/Order Appealed

The Applicant requested that an investigation be undertaken into allegations of interference with his official email account. The Applicant contested the decision of OIOS to close the case.

Legal Principle(s)

N/A

Outcome

Dismissed as not receivable

Full judgment

[Full judgment](#)

Applicants/Appellants

Nwokeabia

Entity

UNCTAD

Case Number(s)

UNDT/GVA/2010/092

Tribunal

UNDT

Registry

Geneva

Date of Judgement

10 May 2011

Duty Judge

Judge Cousin

Language of Judgment

English

French

Issuance Type

Judgment

Categories/Subcategories

Jurisdiction / receivability (UNDT or first instance)

Management Evaluation

Applicable Law

Staff Rules

- Rule 11.2

Related Judgments and Orders

2010-UNAT-079