

UNDT/2011/121, Reid

UNAT Held or UNDT Pronouncements

The contested decision was not, in itself, unfavourable to the Applicant since it did not prevent her from applying for the position again. The only decision which the Applicant would have had a legitimate interest in contesting, was the decision not to appoint her to the position she encumbered after its reclassification as Senior Career Management Assistant at the G-5 level. However, the Applicant did not contest this decision. The application was not receivable, since the Applicant did not have any legitimate interest in requesting the suspension of the decision to readvertise the position. However, should the Applicant consider herself affected by the decision not to select her for the reclassified position of Senior Career Management Assistant at the outcome of the initial selection process, she was entitled to file an application against this decision within the mandatory time limit.

Decision Contested or Judgment/Order Appealed

The Applicant requested the Tribunal to suspend, during the pendency of the management evaluation, the implementation of the decision dated 11 May 2011 to readvertise the position of Senior Career Management Assistant, to which she had not been appointed.

Legal Principle(s)

For an application to be receivable, an applicant should have legitimate interest in contesting the identified decision.

Outcome

Dismissed as not receivable

Full judgment

[Full judgment](#)

Applicants/Appellants

Reid

Entity

UNHCR

Case Number(s)

UNDT/GVA/2011/037

Tribunal

UNDT

Registry

Geneva

Date of Judgement

7 Jul 2011

Duty Judge

Judge Cousin

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Suspension of action / interim measures

Applicable Law

UNDT RoP

- Article 13