

UNDT/2011/125, Muratore

UNAT Held or UNDT Pronouncements

Confirmative decisions: When a staff member repeats the same request to the Administration, only the first decision denying it is subject to appeal; the time limits for appeal start running from that first decision. Subsequent refusals are confirmative decisions which do not have the effect of restarting the running of time limits.

Decision Contested or Judgment/Order Appealed

On 23 May 2006, the Applicant sent a complaint to the Ethics Office, along with a description of the facts he qualified as reprisals. The Office replied on 30 June 2006 that the reported facts did not reveal any misconduct with regard to ST/SGB/2005/21. The Applicant answered on the same day asking that this conclusion be reconsidered. The Office reiterated its decision on 13 July and on 21 July the Applicant reiterated his request for reconsideration. The Special Advisor of the Secretary-General for the Establishment of the Ethics Office confirmed anew the decision on 9 August 2006. The Applicant contested the decision of the Ethics Office.

Legal Principle(s)

N/A

Outcome

Dismissed as not receivable

Full judgment

[Full judgment](#)

Applicants/Appellants

Muratore

Entity

OHCHR

Case Number(s)

UNDT/GVA/2010/040 (UNAT 1646)

Tribunal

UNDT

Registry

Geneva

Date of Judgement

11 Jul 2011

Duty Judge

Judge Cousin

Language of Judgment

English

French

Issuance Type

Judgment

Categories/Subcategories

Jurisdiction / receivability (UNDT or first instance)

Temporal (ratione temporis)

Applicable Law

Former Staff Rules

- Rule 111.2(a)
- Rule 111.2(f)

Related Judgments and Orders

2010-UNAT-079