

UNDT/2011/128, Buckley

UNAT Held or UNDT Pronouncements

The Tribunal rejected the application on the ground that the Applicant is not a UN staff member and therefore does not have access to the Tribunal. Status of STL staff members: While article 12 of the STL Statute explicitly provides that the “Registrar shall be a staff member of the United Nations”, there is no such reference for other high-ranking officials such as the Judges or the Prosecutor, nor for any other “Lebanese and international staff” of the STL. From the wording of both the Statute and the Agreement between the United Nations and the Lebanese Republic on the establishment of the STL, the Tribunal draws the negative inference that only the Registrar of the Special Tribunal for Lebanon is a staff member of the United Nations, with the exclusion of any other staff.

Decision Contested or Judgment/Order Appealed

The Applicant, a staff member of the STL contested the decision to exclude him, as ineligible, from the selection process for a P-3 post of Investigator in the Office of Internal Oversight Services.

Legal Principle(s)

N/A

Outcome

Dismissed as not receivable

Full judgment

[Full judgment](#)

Applicants/Appellants

Buckley

Entity

STL

Case Number(s)

UNDT/GVA/2011/022

Tribunal

UNDT

Registry

Geneva

Date of Judgement

13 Jul 2011

Duty Judge

Judge Laker

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Jurisdiction / receivability (UNDT or first instance)

Personal (ratione personae)

Applicable Law

Agreements, conventions, treaties (etc.)

- Agreement between the United Nations and the Lebanese Republic on the establishment of the STL

Laws of other entities (rules, regulations etc.)

- STL Statute

Security Council Resolutions

- S/RES/1757

UNDT Statute

- Article 2.1
- Article 3.1