

UNDT/2012/041, Balakrishnan

UNAT Held or UNDT Pronouncements

Legal representation: An applicant may be represented by counsel before the Tribunal provided the requirements of art. 8.2(c) and art. 12 of the Rules of Procedure are met; in particular, the applicant must formally authorize counsel to represent him/her and adequate information must be provided to the Tribunal on the good standing of counsel. Preparatory decisions: According to well-settled case law of the Dispute Tribunal, preparatory decisions are not subject to appeal. They may only be challenged in the context of an appeal against the final decision.

Decision Contested or Judgment/Order Appealed

The application concerns the review of the Applicant's case for conversion to a permanent appointment. Before the Tribunal, the Applicant contests the failure of the Assistant Secretary-General for Human Resources Management ("ASG/HRM") to take a decision on his case for conversion to a permanent appointment in a timely fashion, as well as the decision to submit his case to the New York Central Review Committee. After he filed his application, he was notified of the ASG/HRM's final decision not to grant him a permanent appointment, but he did not contest it before the Tribunal. The Tribunal finds that the contested decisions are preparatory decisions which may only be challenged in the context of an appeal against the final decision and rejects the application as irreceivable.

Legal Principle(s)

N/A

Outcome

Dismissed as not receivable

Full judgment

[Full judgment](#)

Applicants/Appellants

Balakrishnan

Entity

ICTY

Case Number(s)

UNDT/GVA/2011/023

Tribunal

UNDT

Registry

Geneva

Date of Judgement

27 Mar 2012

Duty Judge

Judge Laker

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Appointment (type)

Permanent appointment

Jurisdiction / receivability (UNDT or first instance)

Applicable Law

UNDT RoP

- Article 12
- Article 8.2(c)

Related Judgments and Orders

2011-UNAT-152

UNDT/2012/028