

# UNDT/2012/064, Kamanou

## UNAT Held or UNDT Pronouncements

Jurisdiction: The Tribunal is not competent to examine the lawfulness of a decision made by ECOWAS.

## Decision Contested or Judgment/Order Appealed

The Applicant, a P-3 staff member in DESA, UN Secretariat, contested before the former New York Joint Appeals Board the decision not to attribute her for contributions to a publication named “ECOWAS [the Economic Community of West African States] Poverty Profile”, as well as the decisions not to select her for two P-4 posts, claiming that she was the victim of harassment and discrimination. The case was transferred to the UNDT effective 1st July 2009. In May 2010, the Dispute Tribunal issued Kamanou UNDT/2010/093, which was reversed by the Appeals Tribunal and remanded to the UNDT in March 2011 (Kamanou 2011-UNAT-113). In November 2011, the case was transferred from the New York Registry to the Geneva Registry. The Tribunal found that the application was irreceivable insofar as it related to the non-attribution since the decision-maker was ECOWAS, a non-UN entity. It further found that the Applicant had not substantiated her claims of harassment and discrimination with respect to the non-promotion.

## Legal Principle(s)

N/A

## Outcome

Dismissed on merits

## Full judgment

[Full judgment](#)

## Applicants/Appellants

Kamanou

## Entity

DESA

## Case Number(s)

UNDT/GVA/2011/75

## Tribunal

UNDT

## Registry

Geneva

## Date of Judgement

3 May 2012

## Duty Judge

Judge Cousin

## Language of Judgment

English

French

## Issuance Type

Judgment

## Categories/Subcategories

Jurisdiction / receivability (UNDT or first instance)

Manifest excess of jurisdiction

Staff selection (non-selection/non-promotion)