

UNDT/2012/103, Gehr

UNAT Held or UNDT Pronouncements

Receivability/administrative decision: Preliminary steps such as the choice of a legal basis for a staff member's performance appraisal or the capacity in which a reporting officer signs off on a performance appraisal can only be reviewed within the context of the assessment of the final decision, that is, the outcome of the staff member's performance appraisal.

Decision Contested or Judgment/Order Appealed

The Applicant appealed what he described as the decision not to proceed with the rebuttal process in relation to his 2011 performance appraisal. The UNDT found that the Applicant in fact challenged the alternative offered to him by the Administration to replace a rebuttal panel member whose recusal had been sought by the Applicant. It considered that that alternative did not constitute a final decision and, having determined that summary judgment was appropriate, rejected the application.

Legal Principle(s)

N/A

Outcome

Dismissed as not receivable

Full judgment

[Full judgment](#)

Applicants/Appellants

Gehr

Entity

UNODC

Case Number(s)

UNDT/GVA/2012/57

Tribunal

UNDT

Registry

Geneva

Date of Judgement

2 Jul 2012

Duty Judge

Judge Laker

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Appointment (type)

Applicable Law

UNDT RoP

- Article 9

UNDT Statute

- Article 2.1

Related Judgments and Orders

UNDT/2009/086

UNDT/2010/019

UNDT/2010/028

UNDT/2010/111

UNDT/2011/211

UNDT/2012/071

2010-UNAT-013

2010-UNAT-030

2010-UNAT-056

2010-UNAT-072

2011-UNAT-152