

UNDT/2012/159, Applicant

UNAT Held or UNDT Pronouncements

Management evaluation: The Applicant requested management evaluation of each of the administrative decisions that he challenged before the Tribunal. Mediation: the Tribunal found that mediation was sought by the Respondent regarding the proposed disciplinary measure of demotion but the discussion between the Applicant and the ombudsman, went beyond the scope of the demotion. Mediation was sought within the deadline for filing the Application. The time for filling an Application starts from the date when mediation breaks down therefore the application was filed within the applicable time limits. Decision: Application is receivable.

Decision Contested or Judgment/Order Appealed

The Applicant is the Chief of Child Survival and Development in UNICEF. He filed two applications challenging: the imposition of a disciplinary measure of demotion and the issuance of a reprimand; the Organization's decision to retain him on a P-4 level after he had been selected for a P-5 position in UNICEF Uganda office; non selection for a P-5 post in Tanzania; the failure to issue him with a written notice of abolition of a post that he held in UNICEF Malawi and the refusal by the UNICEF Malawi Country Representative to sign his travel authorization.

Legal Principle(s)

N/A

Outcome

Judgment entered for Applicant in full or in part

Outcome Extra Text

UNDT found each of the Applicant's challenges to be receivable.

Full judgment

[Full judgment](#)

Applicants/Appellants

Applicant

Entity

UNICEF

Case Number(s)

UNDT/NBI/2012/21

Tribunal

UNDT

Registry

Nairobi

Date of Judgement

30 Oct 2012

Duty Judge

Judge Shaw

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Jurisdiction / receivability (UNDT or first instance)

Subject matter (*ratione materiae*)

Temporal (*ratione temporis*)

Applicable Law

Staff Rules

- Rule 11.2(a)

UNDT RoP

- Article 15.7

UNDT Statute

- Article 8
- Article 8.1(d)(ii)
- Article 8.1(d)(iv)