

# UNDT/2012/180, Balinge

## UNAT Held or UNDT Pronouncements

The Applicant's post was one of 45 posts earmarked in November 2007 for abolition by December 2008. It is not contested that the 45 posts for abolition which included the Applicant's post were extended on GTA funding through June 2011. In the present Application on the merits, the Applicant needs to prove, at least on the balance of probabilities, that the Retention Panel was unfair in its evaluation of him and was discriminatory. Not only did he fail in his earlier suspension of action application to give particulars of the irregularities, errors, omissions and favoritism which he alleged made the decision not to renew his fixed-term contract unlawful, he has not tendered additional evidence in this present Application. There is absolutely no showing of any unlawfulness on the part of the Respondent beyond the mere assertions and allegations of the Applicant.

## Decision Contested or Judgment/Order Appealed

The Applicant contested the decision to separate him from the Organisation.

## Legal Principle(s)

N/A

## Outcome

Dismissed on merits

Full judgment

[Full judgment](#)

Applicants/Appellants

Balinge

Entity

ICTR

Case Number(s)

UNDT/NBI/2012/033

Tribunal

UNDT

Registry

Nairobi

Date of Judgement

19 Nov 2012

Duty Judge

Judge Izuako

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Abolition of post

Non-renewal

Separation from service

Applicable Law

## UNDT RoP

- Article 17.2