

UNDT/2017/023, El-Awar

UNAT Held or UNDT Pronouncements

Request for execution of orders on suspension of action: The Tribunal does not have jurisdiction to enforce the execution of an order for suspension of action under art. 12 of its Statute and art. 32.2 of its Rules of Procedure. The Tribunal is not authorised either to circumvent these explicit provisions by using its power under art. 36.1 of its Rules of Procedure to extend its competence beyond the limits defined by the General Assembly in the Tribunal's Statute.

Decision Contested or Judgment/Order Appealed

The Applicant requested execution of Order No. 59 (GVA/2017) of 28 February 2017 which suspended, pending management evaluation, the decisions to withdraw the Applicant's delegation of authority and a number of his functions.

Legal Principle(s)

N/A

Outcome

Dismissed as not receivable

Full judgment

[Full judgment](#)

Applicants/Appellants

El-Awar

Entity

UN-Habitat

Case Number(s)

UNDT/GVA/2017/14

Tribunal

UNDT

Registry

Geneva

Date of Judgement

4 Apr 2017

Duty Judge

Judge Meeran

Language of Judgment

English

French

Issuance Type

Judgment

Categories/Subcategories

Jurisdiction / receivability (UNDT or first instance)

Subject matter (ratione materiae)

Applicable Law

UNDT RoP

- Article 32.2
- Article 36.1

UNDT Statute

- Article 10.5
- Article 12.4
- Article 2.2
- Article 7

Related Judgments and Orders

UNDT/2010/203

2013-UNAT-335

2014-UNAT-406

UNDT/2015/108