

UNDT/2018/032, Reda

UNAT Held or UNDT Pronouncements

The Tribunal held that the evidence before it showed that the Applicant had signed a contract with UNOPS governed by the terms and conditions of the UNOPS Individual Contractor Agreement which, among others, provided that the Applicant had a status of an independent contractor, and was not to be regarded, for any purpose, as a staff member of UNOPS or any other entity of the United Nations. Therefore, the Applicant, not being a staff member of UNOPS or any other entity of the United Nations, had no locus standi before the Tribunal. As a result, the application was struck out as being not receivable.

Decision Contested or Judgment/Order Appealed

The Applicant contested the incorrect labeling of his duties during an investigation conducted by the Internal Audit and Investigation Group of UNOPS in Morocco.

Legal Principle(s)

The jurisdiction of the UNDT is limited only to persons who are staff members of the United Nations or who were former staff members as set out in art. 3.1 of the UNDT Statute.

Outcome

Dismissed as not receivable

Full judgment

[Full judgment](#)

Applicants/Appellants

Reda

Entity

UNOPS

Case Number(s)

UNDT/NBI/2018/020

Tribunal

UNDT

Registry

Nairobi

Date of Judgement

1 Mar 2018

Duty Judge

Judge Izuako

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Jurisdiction / receivability (UNDT or first instance)

Applicable Law

UNDT Statute

- Article 2.6
- Article 3

UNAT Statute

- Article 2.1(a)

Related Judgments and Orders
2018-UNAT-871