

UNDT/2018/081, Cherneva

UNAT Held or UNDT Pronouncements

The Tribunal noted that art. 12.3 of its Statute and art. 30 of its Rules of Procedure limit the scope of applications for interpretation to judgments. Neither the Tribunal's Statute nor its Rules of Procedure contemplate applications for interpretation with respect to orders. The Tribunal therefore found that the present application was not receivable *ratione materiae*.

Decision Contested or Judgment/Order Appealed

The Applicant requested interpretation of Order No. 95 (GVA/2018) of 11 May 2018 whereby the Tribunal adjudicated her application for suspension of action.

Legal Principle(s)

The examination of an application's receivability is a matter of law, which may be adjudicated without serving the application on the Respondent for a reply and even if not raised by the parties (Christensen 2013-UNAT-335).

Outcome

Dismissed as not receivable

Full judgment

[Full judgment](#)

Applicants/Appellants

Cherneva

Entity

UNICEF

Case Number(s)

UNDT/GVA/2018/50

Tribunal

UNDT

Registry

Geneva

Date of Judgement

16 Aug 2018

Duty Judge

Judge Downing

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Jurisdiction / receivability (UNDT or first instance)

Subject matter (ratione materiae)

Applicable Law

UNDT RoP

- Article 30

UNDT Statute

- Article 12.3

Related Judgments and Orders

2013-UNAT-335

2014-UNAT-406

2013-UNAT-313