

# UNDT/2019/018, Diop

## UNAT Held or UNDT Pronouncements

UNDT held that the principal legal issue arising for consideration in the case was whether the Applicant's qualifications met the requirement of a recognized first level university degree as required by the job opening she was selected for. The Tribunal held that the Applicant did not meet the minimum educational requirements for positions at the P-2 level and was not eligible to be considered for a one-time amnesty for staff members under section 6 of ST/AI/2018/5. The Tribunal held that the Applicant did not demonstrate unfairness, unjustness, lack of transparency or inappropriate motive in the Respondent's non-renewal of her appointment. The Tribunal recalled that the Administration is under an obligation to put an end to illegal situations as soon as it becomes aware of them.

## Decision Contested or Judgment/Order Appealed

The Applicant challenged the decision not to renew her appointment because she did not meet the minimum educational requirements for the position.

## Legal Principle(s)

N/A

## Outcome

Dismissed on merits

Full judgment

[Full judgment](#)

Applicants/Appellants

Diop

Entity

MINUSMA

Case Number(s)

UNDT/NBI/2018/089

Tribunal

UNDT

Registry

Nairobi

Date of Judgement

5 Feb 2019

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Appointment (type)

Applicable Law

Administrative Instructions

- ST/AI/2018/5

Other UN issuances (guidelines, policies etc.)

- Inspira Applicant's Manual

Related Judgments and Orders

2018-UNAT-825

2013-UNAT-367

2014-UNAT-421

2016-UNAT-701

2018-UNAT-849