

# UNDT/2019/046, Mohamed

## UNAT Held or UNDT Pronouncements

Even if the investigation had been completed and it has been decided not to inform the Applicant of its outcome, such decision would still need to be submitted for management evaluation. No matter what the situation is—if a decision has been made on providing the Applicant information on the OIOS investigation or not—the application is not receivable.

## Decision Contested or Judgment/Order Appealed

Failure to provide the Applicant with a document stating the outcome of an investigation in which she is the complainant.

## Legal Principle(s)

The Dispute Tribunal is competent to review its own jurisdiction. The Dispute Tribunal can only review an administrative decision that has already been taken and not one that is still pending.

## Outcome

Dismissed as not receivable

## Full judgment

[Full judgment](#)

## Applicants/Appellants

Mohamed

## Entity

ICSC

## Case Number(s)

UNDT/NY/2018/036

## Tribunal

UNDT

## Registry

New York

## Date of Judgement

26 Mar 2019

## Duty Judge

Judge Hunter Jr.

## Language of Judgment

English

## Issuance Type

Judgment

## Categories/Subcategories

Jurisdiction / receivability (UNDT or first instance)

Management Evaluation

Sexual harassment

Disciplinary matters / misconduct

## Applicable Law

## Secretary-General's bulletins

- [ST/SGB/2008/5](#)

## Staff Rules

- [Rule 11.2\(a\)](#)
- [Rule 11.2\(b\)](#)

## UNDT Statute

- [Article 2.1](#)

## Related Judgments and Orders

[2015-UNAT-526](#)