

UNDT/2019/133, Kra

UNAT Held or UNDT Pronouncements

Regarding the merits, the abolishment of a number of posts was decided by the; General Assembly. This decision is outside the Tribunal's jurisdiction. The SecretaryGeneral's role was to implement it through identifying particular posts for reduction. In the process, the Applicant's post was so selected, which entailed the decision on termination of his appointment. The Tribunal's cognizance extends over reviewing the appropriateness of the steps which led to this decision, however, in so far only as they are attributed to the Secretary-General. Prima facie, the Tribunal finds no reason to question the composition of the comparative review panel, the criteria used and the points assigned, which appear to have properly favoured seniority and performance evaluation. The Organization was not under the obligation to re-assign the Applicant through a lateral move. The Tribunal finds, moreover, that the notice of the final date of separation given to the Applicant was appropriate under the circumstances.

Decision Contested or Judgment/Order Appealed

The decision to terminate the Applicant's fixed-term appointment following the abolition of the post which he held.

Legal Principle(s)

N/A

Outcome

Dismissed on merits

Full judgment

[Full judgment](#)

Applicants/Appellants

Kra

Entity

UNAMID

Case Number(s)

UNDT/NBI/2018/67

Tribunal

UNDT

Registry

Nairobi

Date of Judgement

24 Jul 2019

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Abolition of post

Termination (of appointment)

Abolition of position

Applicable Law

UNDT Statute

- Article 2.1