

# UNDT/2019/166, Elias

## UNAT Held or UNDT Pronouncements

At the time of the cancellation, the selection process had not been completed. The cancellation itself was an internal step to facilitate another lawful consideration, to wit, gender parity, within the selection process. It did not occasion the Applicant any direct legal consequences on his terms of appointment or contract of employment.

## Decision Contested or Judgment/Order Appealed

The decision to cancel job opening (JO) 73064 for the position of GS-4 Security Assistant with UNSCOL.

## Legal Principle(s)

In order to assume jurisdiction over a matter, the Tribunal must first determine, among other factors, whether there is an appealable administrative decision.; In cases of staff selection, where the selection process is not complete as in a case where an applicant is not placed on the short list and no candidate is recommended for that particular position, the administration has not made any decision that can be subject of an appeal.

## Outcome

Dismissed as not receivable

Full judgment

[Full judgment](#)

Applicants/Appellants

Elias

Entity

UNSCOL

Case Number(s)

UNDT/NBI/2018/022

Tribunal

UNDT

Registry

Nairobi

Date of Judgement

21 Nov 2019

Duty Judge

Judge Sikwese

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Jurisdiction / receivability (UNDT or first instance)

Subject matter (ratione materiae)

Applicable Law

UNDT Statute

## UNAT Statute

- Article 2.1(a)

Related Judgments and Orders  
2018-UNAT-818