

UNDT/2020/168, Alema

UNAT Held or UNDT Pronouncements

The Applicant did not show that the decision to not renew his appointment was tainted by improper motive or bias, or that the process leading up to the decision to abolish the post he encumbered was irregular or improper. The Respondent sufficiently demonstrated that the Mission acted appropriately under the circumstances before it.

Decision Contested or Judgment/Order Appealed

The Applicant challenged the Respondent's decision to not renew her appointment with the Mission beyond 31 March 2019.

Legal Principle(s)

A fixed-term appointment carries no guarantee of renewal. There is always a presumption that the administration's decision was properly executed and should stand unless it is shown to be tainted or otherwise improperly made. The Tribunal's task is not to replace the administration's decision with its own but to assess the lawfulness of the decision.

Outcome

Dismissed on merits

Full judgment

[Full judgment](#)

Applicants/Appellants

Alema

Entity

UNAMID

Case Number(s)

UNDT/NBI/2019/30

Tribunal

UNDT

Registry

Nairobi

Date of Judgement

17 Sep 2020

Duty Judge

Judge Belle

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Abolition of post

Termination

Separation from service

Expiration of appointment (see also, Non-renewal)

Termination (of appointment)

Abolition of position