

# UNDT/2021/018, Kuate

## UNAT Held or UNDT Pronouncements

The Tribunal held that with respect to the decisions of June 2018 on deductions on account of child support and 24 September 2018 on recording the Applicant's status as "divorced", the application is not receivable. The Tribunal rescinded the decision of 18 September 2018, because as admitted by the Respondent in his response to Order No. 190 (NBI/2020), this administrative decision had been issued in error. All other pleas were rejected.

## Decision Contested or Judgment/Order Appealed

The decision to make deductions from the Applicant's salary to be paid to his wife to satisfy child support obligations and recoveries of other related entitlements made by the Organization.

## Legal Principle(s)

It is not a primary role of the Respondent to execute family support orders. This is enunciated in section 2 of ST/SGB/1999/4 (Maintenance, education and other support obligations of officials), which establishes authorizing deductions as discretionary.

## Outcome

Judgment entered for Applicant in full or in part

## Outcome Extra Text

The Tribunal ordered rescission of a decision dated 18 September 2018, which was issued Text: erroneously. All other claims were rejected. Financial compensation was not ordered because the Applicant did not suffer any financial harm under art. 10.5 of the UNDT Statute.

## Full judgment

[Full judgment](#)

Applicants/Appellants

Kuate

Entity

MONUSCO

Case Number(s)

UNDT/NBI/2019/033

Tribunal

UNDT

Registry

Nairobi

Date of Judgement

5 Mar 2021

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

TEST -Rename- Benefits and entitlements-45

Private legal obligations

Applicable Law

Administrative Instructions

Secretary-General's bulletins

- ST/SGB/1994/4
- ST/SGB/2009/1

Staff Rules

- Rule 1.2(b)