

UNDT/2021/089, White

UNAT Held or UNDT Pronouncements

UNDT noted that the Applicant did not assert any right acquired in terms of his previous contract of employment with the Organization. UNDT held that there was no nexus between the Applicant's former employment and the contested decision. UNDT held that the Applicant did not have standing and that the application was not receivable *ratione personae*. UNDT rejected the application in its entirety.

Decision Contested or Judgment/Order Appealed

The Applicant contested the decision of the Independent Investigative Mechanism for Myanmar to declare him ineligible as a candidate, on the basis of his age, for a Senior Legal Officer position and consequently to exclude him from the recruitment process.

Legal Principle(s)

UNDT ordinarily does not have authority to receive applications by *inter alia* job applicants alleging illegality, unfairness or discrimination in the recruitment process.

Outcome

Dismissed as not receivable

Full judgment

[Full judgment](#)

Applicants/Appellants

White

Entity

UNOG

Case Number(s)

UNDT/GVA/2021/44

Tribunal

UNDT

Registry

Geneva

Date of Judgement

27 Jul 2021

Duty Judge

Judge Bravo

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Jurisdiction / receivability (UNDT or first instance)

Personal (ratione personae)

Applicable Law

GA Resolutions

- A/RES/66/237
- A/RES/67/241

UNDT RoP

- Article 8.4
- Article 9

UNDT Statute

- Article 2.1
- Article 3.1(b)

Related Judgments and Orders

2013-UNAT-335

2021-UNAT-1120

2011-UNAT-148