

2010-UNAT-094, Sina

UNAT Held or UNDT Pronouncements

UNAT considered an appeal by the Secretary-General. UNAT held that it would not approve the award of compensation when absolutely no harm had been suffered. UNAT agreed with the UNDT that a staff member had the right to be informed of administrative decisions affecting them, however, UNAT held that a few days lapse was inconsequential and, in the matter before it, had no consequences. UNAT vacated the part of the UNDT judgment awarding compensation.

Decision Contested or Judgment/Order Appealed

Mr Sina contested the decision not to renew his contract. UNDT found that Mr Sina had no legitimate expectation of renewal of his contract and that the non-renewal decision was based on proper grounds and not affected by irrelevant considerations; however, UNDT awarded compensation for the Secretary-General failing to notify him of a decision by the Advisory Board on Compensation Claims.

Legal Principle(s)

An award of compensation requires evidence of harm.

Outcome

Appeal granted in part

Full judgment

[Full judgment](#)

Applicants/Appellants

Sina

Entity

UNDP

Case Number(s)

2010-094

Tribunal

UNAT

Registry

New York

Date of Judgement

29 Oct 2010

President Judge

Judge Painter

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Compensation

Evidence of harm

Non-renewal

No expectancy of renewal

Separation from service

Expiration of appointment (see also, Non-renewal)

Related Judgments and Orders

UNDT/2010/060