

2011-UNAT-128, Macharia

UNAT Held or UNDT Pronouncements

UNAT considered an application for revision of judgment No. 2010-UNAT-015 by Ms. Macharia. UNAT held that Ms. Macharia provided no evidence upon which it could infer that there was bias or likelihood of bias on the part of Judge Izuako. UNAT held that, with regard to the Legal Officer who allegedly had a personal friendship with Judge Boolell, there was no evidence for it to draw the conclusion that the Legal Officer influenced the proceedings or the UNDT Judge in her decision. UNAT held that Ms. Macharia did not offer any evidence in support of her bare assertions casting serious doubt on the integrity of both Judges Boolell and Izuako. UNAT dismissed the application.

Decision Contested or Judgment/Order Appealed

In judgment No. 2010-UNAT-015, UNAT dismissed Ms Macharia's appeal.

Legal Principle(s)

The minimum standards of fair decision-making by all adjudicating bodies include the entitlement to an unbiased decision-maker. A conjecture may be plausible but is of no legal value, for its essence is that it is a mere guess.

Outcome

Revision, correction, interpretation or execution

Full judgment

[Full judgment](#)

Applicants/Appellants

Macharia

Entity

UN-Habitat

Case Number(s)

2009-020

Tribunal

UNAT

Registry

New York

Date of Judgement

8 Jul 2011

President Judge

Judge Adinyira

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Judgment-related matters

Revision of Judgment

Applicable Law

UNAT Statute

- Article 11

Related Judgments and Orders

2010-UNAT-015