

2011-UNAT-139, Basenko

UNAT Held or UNDT Pronouncements

UNAT recalled that access to the new system of administration of justice can be extended to persons who are not formally staff members but who can legitimately be entitled to rights similar to those of a staff member. UNAT held that this exception must be understood in a restrictive sense. UNAT held that interns have no access to the new system of administration of justice. UNAT dismissed the appeal.

Decision Contested or Judgment/Order Appealed

A former intern with the Division of Management of the United Nations Office at Vienna contested the decision to withdraw the offer of a new internship with the International Trade Law Division. UNDT found that she was neither a current nor a former staff member of the UN and that, pursuant to the provisions of Article 3.1 of its Statute, it was not competent to hear her application.

Legal Principle(s)

Interns have no standing before UNDT or UNAT as they are neither current nor former staff members of the United Nations.

Outcome

Appeal dismissed on receivability

Full judgment

[Full judgment](#)

Applicants/Appellants

Basenko

Entity

UNODC

Case Number(s)

2010-132

Tribunal

UNAT

Registry

New York

Date of Judgement

8 Jul 2011

President Judge

Judge Courtial

Language of Judgment

English

French

Issuance Type

Judgment

Categories/Subcategories

Jurisdiction / receivability (UNDT or first instance)

Personal (ratione personae)

Applicable Law

GA Resolutions

- [A/RES/63/253](#)

UNDT Statute

- [Article 2.1](#)
- [Article 3.1](#)

Related Judgments and Orders

[UNDT/2010/145](#)

[2011-UNAT-120](#)