

2011-UNAT-144, Thiam

UNAT Held or UNDT Pronouncements

UNAT held that the appeal was time-barred and not receivable. UNAT held that the time limit for filing an appeal may be suspended, waived, or extended, only in exceptional cases and upon a written request by an appellant prior to the filing of an appeal, which the Appellant failed to submit. UNAT dismissed the appeal and affirmed the UNDT judgment.

Decision Contested or Judgment/Order Appealed

The Applicant contested the decision not to renew his contract for unsatisfactory service and not to provide him with a lump-sum payment for his repatriation travel. UNDT found that the claim relating to the non-renewal decision was not receivable. Based on an offer made by the Secretary-General, UNDT ordered ICTR to provide him with tickets or an amount equal thereto for travel and shipment.

Legal Principle(s)

A written application to UNAT for suspension, waiver, or extension of time limit by an appellant must be submitted prior to the filing of an appeal.

Outcome

Appeal dismissed on receivability

Full judgment

[Full judgment](#)

Applicants/Appellants

Thiam

Entity

ICTR

Case Number(s)

2010-141

Tribunal

UNAT

Registry

New York

Date of Judgement

8 Jul 2011

President Judge

Judge Adinyira

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Jurisdiction / receivability (UNAT)

Temporal (ratione temporis)

Applicable Law

UNAT Statute

- Article 7
- Article 7.2
- Article 7.3

Related Judgments and Orders

UNDT/2010/131