

# 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