2013-UNAT-335, Christensen

UNAT Held or UNDT Pronouncements

UNAT held that the Appellant failed to establish any errors warranting the reversal of the UNDT judgment concerning her entitlements. UNAT held that the UNDT correctly concluded that the claim was not receivable. UNAT recalled that UNDT has no jurisdiction to waive the deadlines for management evaluation or administrative review. UNAT dismissed the appeal and affirmed the UNDT judgment.

Decision Contested or Judgment/Order Appealed

ICAO Decision: The Applicant contested the decision not to pay her certain entitlements. UNDT found that the application was not receivable as the Applicant had failed to request administrative review. UNDT dismissed the application.

Legal Principle(s)

UNDT has no jurisdiction to waive the deadlines for management evaluation or administrative review. UNDT is competent to review its own competence or jurisdiction, which can be exercised even if the parties or the administrative authorities do not raise the issue, because it constitutes a matter of law.

Outcome

Appeal dismissed on merits

Full judgment

Full judgment

Applicants/Appellants

Christensen
Entity
ICTR
Case Number(s)
2012-367
Tribunal
UNAT
Registry
New York
Date of Judgement
28 Jun 2013
President Judge
Judge Simón
Language of Judgment
English
Issuance Type
Judgment
Categories/Subcategories

Categories/Subcategories

Jurisdiction / receivability (UNDT or first instance) Temporal (ratione temporis)

Applicable Law

Former Staff Rules

• Rule 111.2(a)

UNDT Statute

• Article 2.6

Related Judgments and Orders

UNDT/2012/094

2011-UNAT-182

2010-UNAT-074

2012-UNAT-218