

2014-UNAT-412, Masyllkanova

UNAT Held or UNDT Pronouncements

UNAT held that UNDT had correctly determined that the staff member's application had become moot. UNAT held that the administrative decision to disable the fact-finding panel was superseded by its reconvening, after being impugned by the Appellant. UNAT dismissed the appeal and affirmed the UNDT judgment.

Decision Contested or Judgment/Order Appealed

The Applicant contested the disbanding of and failure to reinstate the fact-finding panel formed to investigate her allegations of harassment and abuse of authority against her supervisor. UNAMA convened a new fact-finding panel, of which the Applicant was informed on the same date by letter. UNDT dismissed the application, finding it moot since the fact-finding panel had been reconvened. UNDT further considered that it had no jurisdiction to consider the case since the Applicant had not requested management evaluation of the contested issue.

Legal Principle(s)

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Outcome

Appeal dismissed on merits

Full judgment

[Full judgment](#)

Applicants/Appellants

Masylikanova

Entity

UNAMA

Case Number(s)

2013-463

Tribunal

UNAT

Registry

New York

Date of Judgement

2 Apr 2014

President Judge

Judge Simón

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Jurisdiction / receivability (UNDT or first instance)

Applicable Law

Secretary-General's bulletins

- [ST/SGB/2008/5](#)

UNDT Statute

UNAT Statute

- [Article 2.1\(a\)](#)

Related Judgments and Orders

[UNDT/2013/033](#)