

2014-UNAT-458, Al-Moued

UNAT Held or UNDT Pronouncements

As a preliminary matter, UNAT dismissed the Appellant's request for an oral hearing. On the merits, UNAT noted that he argued the same arguments that he put before UNRWA DT. UNAT found that UNRWA DT gave careful and fair consideration to the Appellant's arguments and weighed them against the facts of the case. UNAT found no fault with UNRWA DT's decision and held that the Appellant did not demonstrate that UNRWA DT erred in fact or law. UNAT dismissed the appeal and affirmed the UNRWA DT judgment.

Decision Contested or Judgment/Order Appealed

The Applicant contested the decisions to declare his functions as Trades Instructor, Radio and Television Maintenance redundant and to deny his request to be transferred to the post of Recreation Officer. UNRWA DT found that no extraneous factors, maladministration and/or breach of due process tainted the contested decision and dismissed the application.

Legal Principle(s)

It is not sufficient for an appellant merely to state that they disagree with the UNDT's decision and to repeat the arguments submitted before the first instance court. UNDT has broad discretion to determine the weight it attaches to the evidence before it. An appellant who appeals a

Outcome

Appeal dismissed on merits

Full judgment

[Full judgment](#)

Applicants/Appellants

Al-Moued

Entity

UNRWA

Case Number(s)

2013-521

Tribunal

UNAT

Registry

New York

Date of Judgement

17 Oct 2014

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Jurisdiction / receivability (UNAT)

Appeal

Applicable Law

Agreements, conventions, treaties (etc.)

- Special Agreement between the UN and UNRWA

Related Judgments and Orders

2010-UNAT-035

2013-UNAT-340

2011-UNAT-123

2014-UNAT-414