

2014-UNAT-478, Bofill

UNAT Held or UNDT Pronouncements

UNAT considered the Appellant's submission that she let the deadline elapse primarily because she was confused by the first sentence of the message she received from the Office of the Deputy High Commissioner. UNAT noted that this circumstance was previously considered by UNDT. UNAT was satisfied that the UNDT's pronouncement was in accordance with the established case law. UNAT rejected the appeal.

Decision Contested or Judgment/Order Appealed

The Applicant contested a decision not to promote her and the lack of reply to her management evaluation request. UNDT rejected her application as time-barred and did not find any evidence of exceptional circumstances to warrant a waiver or extension of the applicable time limits in her case.

Legal Principle(s)

UNAT strictly enforces various time limits. Only circumstances beyond an applicant's control that prevented the applicant from exercising the right of appeal in a timely manner may be considered "exceptional circumstances," justifying a waiver of the statutory time limit.

Outcome

Appeal dismissed on merits

Full judgment

[Full judgment](#)

Applicants/Appellants

Bofill

Entity

UNHCR

Case Number(s)

2014-551

Tribunal

UNAT

Registry

New York

Date of Judgement

17 Oct 2014

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Jurisdiction / receivability (UNDT or first instance)

Temporal (ratione temporis)

Applicable Law

UNDT Statute

- Article 8

Related Judgments and Orders

UNDT/2013/141

2012-UNAT-275

2010-UNAT-043

2010-UNAT-069

2010-UNAT-029