

# **2015-UNAT-560, Staedtler**

## **UNAT Held or UNDT Pronouncements**

UNAT considered an interlocutory appeal against Order No. 116 and Order No. 126 by Mr Staedler. Regarding Order No. 116, Mr Staedler requested that the Order be rescinded, that Order No. 078 (NBI/2014) be reinstated, and that the Secretary-General's reply be stricken as untimely. Regarding Order No. 126, Mr Staedler requested that the portion of the Order admonishing him be rescinded and that the Order not be published in its present form. On Mr Staedler's contention that UNAT should receive the appeal because it was an exceptional case in which UNDT exceeded its jurisdiction or competence, UNAT held that there was no merit to this contention and that the Orders came within the UNDT's competence to issue appropriate case management orders. UNAT held that since UNDT did not exceed its competence or jurisdiction in issuing Order No. 116, the appeal was not receivable. UNAT held that: the manner in which the parties should conduct themselves during the proceedings is a routine topic for a case management order; UNDT did not exceed its competence or jurisdiction in issuing Order no. 126; and the appeal of that Order was not receivable. UNAT held that the interlocutory appeal was not receivable.

## **Decision Contested or Judgment/Order Appealed**

UNDT Order: Mr Staedler brought proceedings contesting the decision of the Office of Staff Legal Assistance to decline to represent him in a case. In the course of those proceedings, in Order No. 116 (GVA/2014) UNDT granted the Secretary-General's motion to participate in the proceedings and to accept his reply as part of the UNDT record. In Order No. 126 (GVA/2014), UNDT denied Mr Staedler's motions for reconsideration and for permission to respond to the Respondent's reply and admonished Mr Staedler to refrain from making any comments about Counsel for the Respondent in his submissions.

## Legal Principle(s)

UNAT may receive interlocutory appeals arising from preliminary proceedings in exceptional cases where UNDT has clearly exceeded its jurisdiction or competence.

## Outcome

Appeal dismissed on receivability

## Full judgment

[Full judgment](#)

## Applicants/Appellants

Staedtler

## Entity

UN-Habitat

## Case Number(s)

2014-646

## Tribunal

UNAT

## Registry

New York

## Date of Judgement

2 Jul 2015

## President Judge

Judge Chapman

## Language of Judgment

English

## Issuance Type

Judgment

## Categories/Subcategories

Interlocutory or interim appeal / Appeal of UNDT order to UNAT

Manifest excess of jurisdiction

Jurisdiction / receivability (UNDT or first instance)

Subject matter (*ratione materiae*)

## Applicable Law

UNAT Statute

- Article 2.1

UNDT RoP

- Article 19
- Article 35

## Related Judgments and Orders

2010-UNAT-062

2013-UNAT-294

2013-UNAT-354

2010-UNAT-032

2011-UNAT-101

2014-UNAT-461

2010-UNAT-005

2011-UNAT-160

2014-UNAT-423

2013-UNAT-300

2013-UNAT-314

