

2015-UNAT-596, Musleh

UNAT Held or UNDT Pronouncements

UNAT noted that, despite its Registry's request for the Appellant to file an appeal brief, the Appellant failed to do so. UNAT noted that the Appellant was given the opportunity to improve his performance through the further extension of his appointment for an additional six months, but his performance had still not improved. UNAT held that there was no error in the conclusion of UNRWA DT that both the initial decision to extend the Appellant's probationary period and the subsequent decision not to confirm his appointment were in compliance with his letter of appointment and UNRWA's regulatory framework. UNAT held that the appeal had no merit. UNAT dismissed the appeal and affirmed the UNRWA DT judgment.

Decision Contested or Judgment/Order Appealed

UNRWA DT judgment: The Applicant contested the decisions to extend his probationary period and not to confirm his appointment (for poor performance). UNDT dismissed the applications.

Legal Principle(s)

An appellant has the burden of satisfying UNAT that the judgment he or she seeks to challenge is defective. It follows that the appellant must identify the alleged defects in the judgment and state the grounds relied upon in asserting that the judgment is defective.

Outcome

Appeal dismissed on merits

Full judgment

[Full judgment](#)

Applicants/Appellants

Musleh

Entity

UNRWA

Case Number(s)

2015-696

Tribunal

UNAT

Registry

New York

Date of Judgement

30 Oct 2015

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Jurisdiction / receivability (UNAT)

Appeal

Non-renewal

Performance management

Applicable Law

UNAT RoP

- Article 18.1
- Article 8.2

UNAT Statute

- Article 2.1
- Article 8.3

UNRWA Area Staff Rules

- Rule 109.1

UNRWA Personnel Directives

- PD A/4/Part VII/Rev.7

Related Judgments and Orders

2015-UNAT-594

2015-UNAT-579