

2016-UNAT-677, Chalabi

UNAT Held or UNDT Pronouncements

UNAT preliminarily denied the request for an oral hearing. UNAT considered the appeal, specifically whether the Appellant had a legitimate expectation for the renewal of his fixed-term contract and rights related to the renewal of his fixed-term contract. UNAT noted that in the absence of any evidence of a firm commitment of renewal, there was no basis to support the Appellant's claim of legitimate expectation and/or right for the renewal of his contract. UNAT further held that it was clear from the evidence that the Administration was involved in the process of revising the activities in Iraq and realigning its functions. UNAT agreed with UNDT's findings that the Appellant was adequately consulted on the Organisational restructuring before the contested decision was taken and that the contested decision was not ill-motivated or taken in bad faith. UNAT accordingly dismissed the appeal and upheld UNDT's judgment.

Decision Contested or Judgment/Order Appealed

The Applicant contested the decision not to renew his fixed-term contract. UNDT dismissed the application.

Legal Principle(s)

A fixed-term appointment does not carry any expectancy, legal or otherwise, of renewal or conversion, irrespective of the length of service. In order for a staff member's claim of legitimate expectation of a renewal of appointment to be sustained, it must not be based on mere verbal assertion, but on a firm commitment to renewal revealed by the circumstances of the case.

Outcome

Appeal dismissed on merits

Full judgment

[Full judgment](#)

Applicants/Appellants

Chalabi

Entity

UNAMI

Case Number(s)

2016-903

Tribunal

UNAT

Registry

New York

Date of Judgement

30 Jun 2016

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Appointment (type)

Fixed-term appointment

Non-renewal

No expectancy of renewal

Applicable Law

Staff Rules

- Rule 4.13(c)

Related Judgments and Orders

UNDT/2015/122

2015-UNAT-580

2015-UNAT-522

2016-UNAT-678