

2016-UNAT-689, Shehadeh

UNAT Held or UNDT Pronouncements

UNAT considered whether the Appellant filed his appeal within the applicable time limit. UNAT noted that the 60-day time limit to file an appeal expired on 11 April 2016 and the Appellant filed his appeal on 12 April 2016. UNAT held that the appeal was time-barred and that the Appellant did not request a waiver or extension of the deadline from UNAT. UNAT accordingly did not need to address the Appellant's motion to submit additional evidence. Moreover, UNAT did not find any fault with UNRWA DT's holding, as it was clear that the Appellant did not meet the criteria for selection, and it was not UNRWA DT's role to substitute its own criteria for those of the Agency in the selection process. UNAT dismissed the appeal and affirmed UNRWA DT's judgment.

Decision Contested or Judgment/Order Appealed

UNRWA DT judgment: The Applicant contested the decision not to select him for two positions with the Agency. UNRWA DT found that the decision not to select the Applicant for the positions was lawful, as he did not fulfil the education requirements. UNRWA DT dismissed the application.

Legal Principle(s)

UNAT strictly enforces various time limits. Only circumstances beyond the Applicant's control that prevented them from exercising the right of appeal in a timely manner may be considered "exceptional circumstances" justifying a waiver of a time limit or deadline. Any request for an exception or waiver of the time limit to appeal must be made to the Appeals Tribunal prior to the filing of an appeal.

Outcome

Appeal dismissed on merits

Full judgment

[Full judgment](#)

Applicants/Appellants

Shehadeh

Entity

UNRWA

Case Number(s)

2016-919

Tribunal

UNAT

Registry

New York

Date of Judgement

28 Oct 2016

Language of Judgment

Arabic

English

Issuance Type

Judgment

Categories/Subcategories

Jurisdiction / receivability (UNAT)

Temporal (ratione temporis)

Applicable Law

UNAT Statute

- Article 11
- Article 11.4
- Article 2.1
- Article 2.8
- Article 7.1(c)
- Article 7.3

UNRWA DT Statute

Related Judgments and Orders

2015-UNAT-576

2011-UNAT-144

2013-UNAT-373

2012-UNAT-275