

# 2017-UNAT-755, Ramazani et al.

## UNAT Held or UNDT Pronouncements

UNAT held that the Appellants had raised neither factual difference nor legal issues different from those canvassed in companion cases and disposed of in judgment No. 2017-UNAT-750 (Kagizi et al. ) and therefore UNAT adopted the reasoning from its prior judgment at paragraphs 18-27. UNAT dismissed the appeals and affirmed the UNDT judgments.

## Decision Contested or Judgment/Order Appealed

The Applicants contested the decisions not to renew their appointment on grounds of the abolition of their posts. UNDT held that: the Appellant's challenges to the abolition of their posts were not receivable on the grounds that staff members lacked standing to challenge a decision taken by the General Assembly; the Appellant's challenges to the non-renewal of their appointments were not receivable in so far as they were properly implemented in consequence of the General Assembly's decision to abolish their posts; the contested administrative decision taken as a result of the decision of the General Assembly was lawful; the relevant Administrative Instruction was not contravened by the subsequent recruitment of the Appellant's under Individual Contractor contracts; and no unequal treatment occurred in the implementation of the Mission's restructuring.

## Legal Principle(s)

An administrative decision taken as a result of the General Assembly decision is lawful and the Secretary-General cannot be held accountable for executing such a decision.

## Outcome

Appeal dismissed on merits

Full judgment

[Full judgment](#)

Applicants/Appellants

Ramazani et al.

Entity

MONUSCO

Case Number(s)

2016-1022

2016-1023

2016-1024

2016-1025

2016-1026

2016-1027

2016-1028

Tribunal

UNAT

Registry

New York

Date of Judgement

14 Jul 2017

President Judge

Judge Knierim  
Language of Judgment  
English  
Issuance Type  
Judgment  
Categories/Subcategories  
Abolition of post  
Termination  
Jurisdiction / receivability (UNDT or first instance)  
Applicable Law  
Administrative Instructions

- ST/AI/2013/4

Related Judgments and Orders

UNDT/2016/133  
UNDT/2016/146  
UNDT/2016/147  
UNDT/2016/134  
UNDT/2016/148  
UNDT/2016/135  
UNDT/2016/149