## 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