

2020-UNAT-1018, Abu Ouda et al

UNAT Held or UNDT Pronouncements

UNAT held that UNRWA DT exercised its discretion lawfully to consolidate the cases. UNAT held that the impugned decisions were taken in good faith and on a reasonable basis. UNAT held that there was a bona fide reason to restructure and that it was operationally rational not to renew the Limited Duration Contracts at the time. UNAT held that the Appellants' argument with regard to their acquired rights being violated was without merit. UNAT dismissed the appeal and affirmed the UNDT judgment.

Decision Contested or Judgment/Order Appealed

UNRWA DT consolidated a number of cases in which the staff members contested the decision not to renew their Limited Duration Contracts on a full-time basis due to lack of funding and then to offer them new appointments on a part-time basis instead. UNRWA DT held that the decision was lawful, reasonable, and did not violate the staff members' acquired rights. UNRWA DT dismissed the appeal.

Legal Principle(s)

The overriding consideration in the consolidation of cases is convenience, expediency and judicial economy. Fixed-term appointments or appointments of limited duration carry no expectation of renewal or conversion to another type of appointment. If an exercise of discretion by UNRWA is legal, rational, procedurally correct and proportional, there will be no basis for interference by UNAT.

Outcome

Appeal dismissed on merits

Outcome Extra Text

No relief was ordered.

Full judgment

[Full judgment](#)

Applicants/Appellants

Abu Ouda et al

Entity

UNRWA

Case Number(s)

2019-1343

Tribunal

UNAT

Registry

New York

Date of Judgement

26 Jun 2020

President Judge

Judge Murphy

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Non-renewal

No expectancy of renewal

Applicable Law

Laws of other entities (rules, regulations etc.)

Related Judgments and Orders

2013-UNAT-311