

2020-UNAT-1020, Dibs

UNAT Held or UNDT Pronouncements

UNAT considered an application for execution of judgment No. 2017-UNAT-798 by Mr. Dibs. UNAT granted in part the application for execution of judgment and ordered UNRWA to fully execute the judgment within 30 calendar days, advising that failure to comply with the deadline would result in a finding of manifest abuse of process, the award of costs, and potentially, a referral for accountability. UNAT considered that the request for moral and pecuniary damages did not fall within the scope of the application.

Decision Contested or Judgment/Order Appealed

The Appellant previously contested UNRWA's decisions (1) not to grant his request for SLWFP, (2) not to proceed with separation based on the conclusion of the medical board, and (3) to suspend him without pay pending the outcome of the investigation. In judgment No. 2017-UNAT-798, UNAT rescinded the decision to postpone his separation and remanded the case to UNRWA to consider whether the staff member's injuries were attributable to the performance of his duties (2017-UNAT-798).

Legal Principle(s)

Orders and judgments of the Tribunals must be executed with alacrity.

Outcome

Revision, correction, interpretation or execution

Full judgment

[Full judgment](#)

Applicants/Appellants

Dibs

Entity

UNRWA

Case Number(s)

2020-1347

Tribunal

UNAT

Registry

New York

Date of Judgement

26 Jun 2020

President Judge

Judge Raikos

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Abuse of process before UNDT/UNAT

Manifest abuse

Applicable Law

UNAT RoP

- Article 27

UNAT Statute

- Article 11.4
- Article 2.3
- Article 9.2
- Article 9.5

Related Judgments and Orders

2017-UNAT-798

2016-UNAT-645

2010-UNAT-059