

2021-UNAT-1091, Leobard Antoine Houenou

UNAT Held or UNDT Pronouncements

UNAT held that UNDT correctly found that the non-extension of Mr Houenou's temporary appointment was a proper exercise of discretion in light of the mission's budgetary situation.

Decision Contested or Judgment/Order Appealed

The decision to shorten the duration of the extension of Mr Houenou's temporary appointment from one year to three months, due to budgetary shortfall for MINUSCA.

Legal Principle(s)

A temporary appointment carries no expectancy of renewal. The approval by OIC of an extension without delegated authority is ultra vires, and the Administration has a duty to correct it promptly. Any representation by OIC, a personnel notification, or the extension of a security pass does not constitute an express promise of extension of a temporary appointment or give rise to a legitimate expectation of renewal. Exceptional extension of a temporary appointment under Section 14 of ST/AI/2010/4/Rev.1 may only be granted on the basis of unexpected operational needs.

Outcome

Appeal dismissed on merits

Outcome Extra Text

Appeal dismissed and Judgment No. UNDT/2020/070 affirmed.

Full judgment

[Full judgment](#)

Applicants/Appellants

Leobard Antoine Houenou

Entity

MINUSCA

Case Number(s)

2020-1409

Tribunal

UNAT

Registry

New York

Date of Judgement

19 Mar 2021

President Judge

Judge Murphy

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Appointment (type)

Temporary appointment

Non-renewal

No expectancy of renewal

Applicable Law

Administrative Instructions

- ST/AI/2010/4/Rev.1

Staff Rules

- Rule 11.2(a)
- Rule 4.12(a)

Related Judgments and Orders

UNDT/2020/070

2013-UNAT-367

2018-UNAT-849

2011-UNAT-138

2014-UNAT-411

2018-UNAT-875

2015-UNAT-503

2016-UNAT-660