

UNDT/2022/007, Shuaeb

UNAT Held or UNDT Pronouncements

Considering that the Tribunal's competence is a matter of law, which may be adjudicated even without serving the application to the Respondent for reply and even if not raised by the parties (see Gehr 2013-UNAT-313; Boutroue UNDT/2014/048), the Tribunal deems it appropriate to decide on the present application by way of summary judgment, as provided for in art. 9 of its Rules of Procedure. The Applicant does not contest an administrative decision taken by the Secretary-General as the Chief Administrative Officer of the United Nations. Moreover, the Tribunal considers that WFP is not one of the organizations or entities with which a special agreement has been concluded, under the terms of art. 2.5 of its Statute, to establish the Tribunal's jurisdiction. Accordingly, the Tribunal finds that it is not competent to examine the present application.

Decision Contested or Judgment/Order Appealed

The Applicant, a service contract holder at the Wood Food Programme ("WFP"), contests the decision not to renew his contract beyond 4 February 2022.

Legal Principle(s)

The scope of the Tribunal's jurisdiction is clearly determined and limited by art. 2 of the Tribunal's Statute.

Outcome

Dismissed as not receivable

Full judgment

[Full judgment](#)

Applicants/Appellants

Shuaeb

Entity

WFP

Case Number(s)

UNDT/GVA/2022/004

Tribunal

UNDT

Registry

Geneva

Date of Judgement

28 Jan 2022

Duty Judge

Judge Bravo

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Jurisdiction / receivability (UNDT or first instance)

Non-renewal

Applicable Law

UNDT RoP

- Article 9

UNDT Statute

- Article 2.1
- Article 2.5

Related Judgments and Orders

2013-UNAT-313

UNDT/2014/048