

2022-UNAT-1247, Rania Mohammed Dajani

UNAT Held or UNDT Pronouncements

UNAT held that the Appellant's claim, that a final decision on her 2013 request for post reclassification was only issued in 2019, could not be considered as it was raised for the first time at the appellate level. UNAT held that UNRWA DT correctly found that the 12 December 2014 e-mail which informed her that all classifications were on hold constituted an administrative decision because it rejected her request for immediate reclassification. UNAT held that to allow the Appellant's argument that the postponement or freezing of requests for reclassification does not constitute an administrative decision because it lacks finality would worsen the legal position of staff members as they could not challenge such postponement actions before the Tribunals. UNAT also held that, even if the postponement of a request for reclassification was not an administrative decision, the Appellant's application was still irreceivable. UNAT dismissed the appeal and confirmed the UNRWA DT Judgment.

Decision Contested or Judgment/Order Appealed

The Appellant contested the decision to put the reclassification of her post on hold. UNRWA DT dismissed the application as not receivable *ratione materiae* as the Appellant had not submitted her request for decision review within the time-limit.

Legal Principle(s)

Issues which were not raised before the first instance tribunal cannot be introduced for the first time on appeal.

Outcome

Appeal dismissed on receivability

Full judgment

[Full judgment](#)

Applicants/Appellants

Rania Mohammed Dajani

Entity

UNRWA

Case Number(s)

2021-1571

Tribunal

UNAT

Registry

New York

Date of Judgement

11 Aug 2022

President Judge

Judge Knierim

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Management Evaluation

Subject matter (ratione materiae)

Appeal

Jurisdiction / receivability (UNDT or first instance)

Jurisdiction / receivability (UNAT)

Applicable Law

UNAT Statute

- Article 2.1(a)

UNDT Statute

- Article 8.3

UNRWA Area Staff Rules

- Rule 111.2

UNRWA DT Statute

Related Judgments and Orders

2019-UNAT-974