

UNDT/2022/121, Hanjoury

UNAT Held or UNDT Pronouncements

The Applicant's claim was based on her assertion that she was on official travel status at United Nations expense when she was forced to have a stopover of 23 days in Khartoum. Accordingly, she claimed that she was entitled to DSA in accordance with staff rule 7.10. The Tribunal found, however, that there was no category under the applicable legal framework of entitlement to DSA under which the Applicant's time in Khartoum fell.

Decision Contested or Judgment/Order Appealed

The Applicant contested the decision not to pay her daily subsistence allowance ("DSA") for 23 days, from 24 August to 24 September 2021.

Legal Principle(s)

The starting point for judicial review is a presumption that official acts have been regularly performed. A determination as to whether the presumption has been rebutted turns on the facts of the case and an interpretation of the applicable regulatory framework.

Outcome

Appeal dismissed on merits

Outcome Extra Text

Full judgment

[Full judgment](#)

Applicants/Appellants

Hanjoury

Entity

UNISFA

Case Number(s)

UNDT/NBI/2022/019

Tribunal

UNDT

Registry

Nairobi

Date of Judgement

11 Nov 2022

Duty Judge

Judge Honeywell

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Daily Subsistence Allowance (DSA)
Benefits and entitlements

Applicable Law

Secretary-General's bulletins

Staff Rules

- Rule 1.2
- Rule 5.2
- Rule 7.1
- Rule 7.10
- Rule 7.4

Related Judgments and Orders

2021-UNAT-1168

2017-UNAT-762

2011-UNAT-122

2022-UNAT-1207