

UNDT/2023/032, Lawani

UNAT Held or UNDT Pronouncements

The Applicant does not contest the fact that he became aware of the contested decision at the latest on 31 December 2021, when he separated from service, and that he requested management evaluation of the contested decision on 15 April 2023, more than a year after the statutory deadline.

To justify the delayed submission of his request for management evaluation, the applicant points to his medical condition. The Tribunal is however not competent to “suspend or waive deadlines for management evaluation” (art. 8.3 of its Statute).

Accordingly, the Tribunal found that the Applicant’s request for management evaluation was time-barred, and his application was therefore not receivable.

Decision Contested or Judgment/Order Appealed

The Applicant contests the decision not to extend his temporary appointment beyond 31 December 2021.

Legal Principle(s)

The Dispute Tribunal may only review decisions that have been the subject of a timely request for management evaluation (see *Khan* 2022-UNAT-1284, para. 52). The Appeals Tribunal has consistently held that “time limits in the context of the administration of justice in the United Nations’ internal justice system must be observed and strictly enforced” (see *Lolo Mkhabela* 2022-UNAT-1289, para. 34).

Outcome

Dismissed as not receivable

Full judgment

[Full judgment](#)

Applicants/Appellants

Lawani

Entity

OHCHR

Case Number(s)

UNDT/GVA/2023/015

Tribunal

UNDT

Registry

Geneva

Date of Judgement

19 May 2023

Duty Judge

Judge Tibulya

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Jurisdiction / receivability (UNDT or first instance)

Applicable Law

UNDT RoP

- Article 9

UNDT Statute

- Article 8.1(c)
- Article 8.3

Staff Rules

- Rule 11.2 (c)

Related Judgments and Orders

2014-UNAT-406

2013-UNAT-313

UNDT/2018/081

UNDT/2020/074

UNDT/2021/003

2019-UNAT-936

2015-UNAT-559

2022-UNAT-1284

2022-UNAT-1289

2022-UNAT-1284

2022-UNAT-1289