

# UNDT/2023/015, Hakimi

## UNAT Held or UNDT Pronouncements

The Tribunal noted that, firstly, the Applicant does not contest an administrative decision taken by the Secretary-General as the Chief Administrative Officer of the United Nations. Secondly, FAO has not concluded a special agreement with the Secretary-General, under art. 2.5 of the Tribunal's Statute, to accept the terms of the Tribunal's jurisdiction. Consequently, the Tribunal found that it was not competent to examine the present application.

## Decision Contested or Judgment/Order Appealed

The Applicant contests the decision to withdraw an offer of appointment as "National Project Personnel/Service contact as Regional MEAL Specialist" with FAO in Afghanistan.

## Legal Principle(s)

Considering that the Tribunal's competence is a matter of law, which may be adjudicated without serving the application to the Respondent for a reply and even if not raised by the parties (see Gehr 2013-UNAT-313), the Tribunal deemed it appropriate, on its own initiative, to decide on this application by way of a summary judgment in accordance with art. 9 of its Rules of Procedure.

## Outcome

Dismissed as not receivable

## Outcome Extra Text

Entity - Food and Agriculture Organization of the United Nations ("FAO")

## Full judgment

[Full judgment](#)

## Applicants/Appellants

Hakimi

## Entity

N/A

## Case Number(s)

UNDT/GVA/2023/052

## Tribunal

UNDT

## Registry

Geneva

## Date of Judgement

17 Oct 2023

## Duty Judge

Judge Sun

## Language of Judgment

English

## Issuance Type

Judgment

## Categories/Subcategories

Jurisdiction / receivability (UNDT or first instance)

## Applicable Law

TANU Statut du Tribunal

- Article 9
- Article 2.5

Former UNAT Statute

- Article 2.1

## Related Judgments and Orders

2013-UNAT-313