

UNDT/2024/001, Melbiksis

UNAT Held or UNDT Pronouncements

The application is not receivable *ratione materiae* on two grounds. First, the alleged contested decision does not carry the capacity to produce direct legal consequences affecting the Applicant's terms and conditions of employment and, thus, is not a reviewable administrative decision falling under the jurisdiction of the Dispute Tribunal. Second, the Applicant did not file a timely request for management evaluation within the statutory deadline.

Decision Contested or Judgment/Order Appealed

The Applicant contests the decision by the Inspector's General Office and the Director of the Division of Human Resources to refuse to provide answers to his questions regarding a former IGO investigation.

Legal Principle(s)

An appealable administrative decision is a decision that has the capacity to produce direct legal consequences affecting a staff member's terms and conditions of employment.

A request for management evaluation is not receivable when submitted after the statutory 60 calendar days' deadline.

The Dispute Tribunal has no jurisdiction to waive or suspend the time limits for management evaluation requests.

Outcome

Dismissed as not receivable

Outcome Extra Text

Related judgment: UNAdT Judgment No. 1157(2003)

Full judgment

[Full judgment](#)

Applicants/Appellants

Melbiksis

Entity

UNHCR

Case Number(s)

UNDT/GVA/2023/048

Tribunal

UNDT

Registry

Geneva

Date of Judgement

29 Jan 2024

Duty Judge

Judge Sun

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Definition

Time limit

Jurisdiction / receivability (UNDT or first instance)

Administrative decision

Management Evaluation

Applicable Law

UNDT Statute

- Article 2.1
- Article 8.1(c)
- Article 8.3

Former UNAT Statute

Related Judgments and Orders

2018-UNAT-823

2017-UNAT-746

2019-UNAT-941

2021-UNAT-1102

2016-UNAT-643

2019-UNAT-967

2021-UNAT-1126

2021-UNAT-1162

2012-UNAT-273