

# 2024-UNAT-1411, AAU

## UNAT Held or UNDT Pronouncements

The UNAT held that the staff member's attempts to reargue her case failed to identify any reviewable error in the UNDT Judgment, warranting alone dismissal of her appeal. In any event, regardless of the merits of her claim, the UNAT found that her application was time-barred under Article 8(4) of the UNDT Statute since she filed it 27 years after her receipt of the contested decision. Recalling that there is no authority given to either tribunal to extend time limits in these circumstances, the UNAT concluded that the UNDT was correct to conclude that her application was not receivable.

The UNAT dismissed the appeal and affirmed Judgment No. UNDT/2023/020.

## Decision Contested or Judgment/Order Appealed

The Appellant, a former staff member of the United Nations, contested the decision of the Administration to terminate her appointment with the Organization in October 1995. In its Judgment No. UNDT/2023/020, the UNDT dismissed her application as not receivable *ratione temporis* because she requested management evaluation of the contested decision and submitted her application to the UNDT more than 27 years after her receipt of the contested decision. However, the UNDT granted her request for anonymity. Former staff member appealed.

## Legal Principle(s)

The appellant has the burden of demonstrating that the UNDT erred pursuant to one or more of the grounds of appeal set out in Article 2(1) of the UNAT Statute.

An application to the UNDT is not receivable if it is filed more than three years after the receipt of the contested administrative decision.

## Outcome

Appeal dismissed on merits

Full judgment

[Full judgment](#)

Applicants/Appellants

AAU

Entity

UN Secretariat

Case Number(s)

2023-1805

Tribunal

UNAT

Registry

New York

Date of Judgement

15 Apr 2024

President Judge

Judge Sandhu

Judge Savage

Judge Sheha

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Jurisdiction / receivability (UNDT or first instance)

Temporal (ratione temporis)

Applicable Law

UNAT Statute

- Article 2.1

UNDT Statute

- Article 8.4

Related Judgments and Orders

2022-UNAT-1256

2014-UNAT-458

2017-UNAT-727

UNDT/2023/020