

2024-UNAT-1478, Mohammad Almasri

UNAT Held or UNDT Pronouncements

The UNAT held that Mr. Almasri did not fulfil the requirements for revision of the prior UNAT Judgment. Mr. Almasri's primary complaint was that the remedy awarded to him failed to make him eligible for a better retirement pension based on a longer deemed service and contribution history.

The UNAT found that no new fact was advanced by Mr. Almasri that had been unknown either to him or the UNAT at the time of the prior Judgment, nor one that would have been decisive in reaching the decision had it been known. Instead, it was Mr. Almasri's negligence that brought about his factual ignorance.

The UNAT dismissed the application for revision.

Decision Contested or Judgment/Order Appealed

A former staff member contested UNHCR's decision not to renew his fixed-term appointment on the basis of unsatisfactory performance.

In Judgment No. UNDT/2022/072, the UNDT dismissed the application and confirmed that UNHCR's payment of three months' net-base salary for procedural irregularities in his case was sufficient. Mr. Almasri appealed.

In Judgment No. 2023-UNAT-1377, the UNAT upheld the justification for the non-renewal but identified a significant procedural irregularity. As a remedy, the UNAT awarded six months' net base salary and an equivalent amount representing the Organization's contribution to the UNJSPF on his behalf for six months.

Mr. Almasri filed an application for revision of the prior UNAT Judgment.

Legal Principle(s)

An applicant for revision of a judgment must identify the decisive facts that, at the time of the UNAT Judgment, were unknown to both the UNAT and the party applying for revision; that such ignorance was not due to the negligence of the applicant; and that the facts identified would have been decisive in reaching the decision.

Outcome

Revision, correction, interpretation or execution

Outcome Extra Text

Applicaition for revision is dismissed.

Full judgment

[Full judgment](#)

Applicants/Appellants

Mohammad Almasri

Entity

UNHCR

Case Number(s)

2024-1873

Tribunal

UNAT

Registry

New York

Date of Judgement

14 Nov 2024

President Judge

Judge Colgan

Judge Forbang

Judge Sheha

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Revision of Judgment

Judgment-related matters

Applicable Law

UNAT Statute

- Article 11.1

Related Judgments and Orders

2023-UNAT-1377