

009 (NY/2024), Sohier

UNAT Held or UNDT Pronouncements

The Tribunal reviewed the supporting documents filed by the Applicant and understood that she was facing personal circumstances that affected her ability to review court documents and prepare submissions as a self-represented Applicant. The Tribunal was also mindful of the Applicant's right of access to the internal system of justice. At the same time, the Tribunal could not continue extending routine filing deadlines and delay the proceedings indefinitely.

The Tribunal considered that the interests of justice, including those of both parties, obliged it to adjudicate the case as expeditiously as possible and use its limited resources most efficiently.

Decision Contested or Judgment/Order Appealed

The Applicant contested the non-renewal of her fixed-term appointment on the (alleged) grounds of poor performance.

Legal Principle(s)

The Dispute Tribunal has on several occasions enunciated "a general principle of procedural law that the right to institute legal proceedings is predicated upon the condition that the person using this right has a legitimate interest in initiating and maintaining legal action. Access to the court has to be denied to those who are no longer interested in the proceedings they instituted". (Saab-Mekhour UNDT/2010/047, para. 6. See also Bimo & Bimo UNDT/2009/061, Hastopali & Stiplasek UNDT/2009/062; Moussa UNDT/2010/029; and Zhang-Osmancevic UNDT/2015/034).

Outcome

Other motion granted

Outcome Extra Text

The Tribunal reviewed the supporting documents filed by the Applicant and understood that she was facing personal circumstances that affected her ability to review court documents and prepare submissions as a self-represented Applicant. The Tribunal was also mindful of the Applicant's right of access to the internal system of justice. At the same time, the Tribunal could not continue extending routine filing deadlines and delay the proceedings indefinitely.

The Tribunal considered that the interests of justice, including those of both parties, obliged it to adjudicate the case as expeditiously as possible and use its limited resources most efficiently.

Full order

[Full order](#)

Individual Party

Sohier

Entity

UN Secretariat

Case Number(s)

UNDT/NY/2023/011

Tribunal

UNDT

Registry

New York

Date of Order

24 Jan 2024

Duty Judge

Judge Adda

Language of Order

English

Issuance Type

Order

Categories/Subcategories

Non-renewal

Applicable Law

UNDT RoP

- Article 19

Related Judgments and Orders

UNDT/2010/047

UNDT/2009/061

UNDT/2009/062

UNDT/2015/034