



UNITED NATIONS APPEALS TRIBUNAL TRIBUNAL D'APPEL DES NATIONS UNIES

Case Nos. 2010-050 & 2010-085

**Attandi
(Appellant)**

v.

**Secretary-General of the United Nations
(Respondent)**

JUDGMENT

Before:	Judge Kamaljit Singh Garewal, Presiding Judge Jean Courtial Judge Rose Boyko
Judgment No.:	2010-UNAT-047
Date:	1 July 2010
Registrar:	Weicheng Lin

Counsel for Appellant: David Andati-Amwayi

Counsel for Respondent: Amy Wood

request for SOA. Attandi's FTA was extended for one month through 31 January 2009 so as to allow the JAB to consider his SOA request. But the JAB did not make any recommendation in support of Attandi's SOA request, and the Secretary-General took no action in that regard.

6. On 10 April 2009, Attandi filed an incomplete statement of appeal with the JAB challenging the non-renewal of his FTA. The complete statement of appeal had to be filed by

13. On 3 March 2010, Boolell, J. issued Judgment No. UNDT/2010/038 in respect of Attandi's case. Boolell, J. noted that Attandi had failed to either file a complete application or provide an explanation as to why he did not comply with the Order. In the view of Boolell, J. Attandi had "displayed a singular blatant ignorance of a court order. His conduct is one of contempt of the Tribunal. This attitude does not befit persons who like [Attandi] come to seek justice and a vindication of their rights before the Tribunal." Boolell, J. ordered the striking out of Attandi's case.

14. On 23 April 2010, Attandi filed an appeal against UNDT Judgment No. UNDT/2010/038. The Secretary-General's answer was received on 10 June 2010.

Submissions

Attandi's Appeal

15. In respect of UNDT Order NO. 02 (NBI/2010), Attandi maintains that the UNDT erred in fact, in that the chronology of events in paragraphs 2 to 12 was wrong and incomplete.

16. He also maintains that the UNDT erred in law when it failed to appreciate the distinction between a judicial review and an appeal.

17. Attandi claims that the UNDT erred in its attempt to force him to discuss his case in a prejudicial manner. As his case was with the former Administrative Tribunal *sub judice*, there was no need for Attandi to respond to the UNDT's request to comment on a matter already before the former Administrative Tribunal.

18. According to Attandi, notwithstanding paragraph 45 of the General Assembly

the Judgment. He further submits that Attandi's additional claims related to the practice of the UNDT Registry and his allegations of conflict of interest on the part of Boolell, J. are either unsubstantiated or irrelevant.

Considerations

27. Attandi has presented his case in a rather strange way. He has not given us even an inkling of what his real grievance was, what his grounds were to challenge the administrative

Judgment