UNITED NATIONS APPEALS TRIBUNAL
TRIBUNAL D 'APPEL DES NATIONS UNet58 -0.003 Tw6-

Judgment No. 2022-UNAT-1201

Counsel for Appellant: Shubha Suresh Naik, OSLA

Counsel for Respondent: Amanda Stoltz

JUDGE JOHN RAYMOND MURPHY, PRESIDING.

1. Ms. Annette Guetgemann (the Appellant) appeals Judgment No. UNDT/2021/035 (Impugned Judgment) before the United Nations Appeals Tribunal (UNAT or Appeals Tribunal). Before the United Nations Dispute Tribunal (UNDT or Dispute Tribunal), Ms. Guetgemann contested the decision, *inter alia*, not to renew her fixed-term appointment (FTA). In the Impugned Judgment, the UNDT dismissed her application.

2. Ms. Guetgemann appeals the UNDT finding in the Impugned Judgment that her application against the non-renewal decision was moot.

3. For the reasons set out herein, we dismiss her appeal and affirm the Impugned Judgment.

Facts and Procedure

4. Ms. Guetgemann joined the Secretariat of the United Nations Convention to Combat Desertification (UNCCD) on 15 July 2011, as an Administrative Assistant with the Policy, Advocacy, and Global Issues Unit on a temporary appointment until 8 November 2011.

5. On 9 November 2011, she was recruited on an FTA in the same unit. The FTA expired on 2 February 2014. She was reassigned to the External Relations, Policy and Advocacy Unit on 3 February 2014 under an FTA until 8 December 2014. Her FTA was subsequently extended until 31 December 2017.

6. Ms. Guetgemann maintains that she faced work-related challenges with her supervisor, her first reporting officer (FRO), but did not file a formal complaint. In October 2017, the Chief of Administrative Services recommended that Ms. Guetgemann discuss the 7w t 9d137ma,0-0.8A (tm)0.9 4(5e)-43.7ntl(a)t-5.7215.727ann 0 Td[(r)3..3 ( )abr

25. Likewise, Ms. Guetgemann's suggestion that the UNDT failed to exercise its jurisdiction by not exploring the reasons for the non-renewal of contract, by not reviewing whether the non-renewal decision was based on proper or improper motives, and by not considering the issue of good faith efforts to find an alternate post is not sustainable. The UNDT had no obligation to consider the merits of the superseded decision once it correctly found that the application was moot. whe

correctly concluded that the Tribunal could not order further compensation to be paid. Compensation cannot be awarded when no illegality has been established.

29. In the result, Ms. Guetgemann has failed to show any error on the part of the UNDT and the appeal should be dismissed.

Judgment

30. The appeal is dismissed and the Impugned Judgment is affirmed.

Original and Authoritative Version: English

Dated this 18th day of March 2022.

(Signed)	*(Signed)*	*(Signed)*
Judge Murphy, Presiding Cape Town, South Africa	Judge Colgan Auckland, New Zealand	Judge Sandhu Vancouver, Canada

Entered in the Register on this 21st day of April 2022 in New York, United States.

(Signed)

Weicheng Lin, Registrar