

LEAGUE OF NATIONS ADMINISTRATIVE TRIBUNAL

**ORDINARY SESSION OF AUGUST 1939
HEARING OF 4 AUGUST 1939**

***In re* DANZEBRINK**

Judgment No. 21

THE LEAGUE OF NATIONS ADMINISTRATIVE TRIBUNAL,

Considering the complaint filed on 23 May 1939 by Mr. Henri Danzebrink against the League of Nations;

Under the Statute of the Administrative Tribunal, the latter is competent to rule solely on disputes which may arise between the Secretariat or the International Labour Office and the staff members of these institutions.

This competence was widened only by Article 26 of the Regulations of the Pensions Fund, which is not a party to this dispute.

The complainant was appointed by the Committee for the Sarre and is not therefore a member of the aforementioned staff.

Consequently, the Tribunal, in the absence of an Assembly measure extending its competence, does not have the power or the authority to rule on the dispute before it, and hence has no need to examine the merits of all the other pleas of the parties.

It is indisputable that the League of Nations, at the suggestions of its Secretary-General, will accept such judicial or arbitral body as may be designated to rule on the merits of the dispute between it and the complainant. In this connection, full confidence must be placed in its sense of fairness which would be incompatible with a refusal to refer this dispute to a judicial or arbitral body for a decision.

For the above reasons,

The Tribunal

Finds that it is not competent;

Declares that there are grounds for refunding the deposit to the complainant.

In witness of which judgment, pronounced in public sitting on 4 August 1939 by His Excellency Mr. Devèze, President, and Jonkheer van Ryckevorsel and Mr. Eide, Judges, the aforementioned have hereunto subscribed their signatures, as well as myself, Nisot, Registrar of the Tribunal.

(Signatures)

Devèze
van Ryckevorsel
Eide
Nisot

Certified copy,

The Registrar of the Administrative Tribunal.