

EIGHTY-SIXTH SESSION

In re Steele (No.3)

Judgment 1795

The Administrative Tribunal,

Considering the third complaint filed by Mr. David Brian Steele on 23 June 1998 against the World Health Organization (WHO);

Considering Article II, paragraph 5, of the Statute of the Tribunal and Article 7 of its Rules;

Having examined the written submissions;

CONSIDERATIONS

1. Mr. Steele left the staff of the World Health Organization on 30 June 1985. Judgment 1692 dismissed as clearly irreceivable the second complaint which he had lodged against the Organization. On 7 February 1998 he again put his claims to the Director-General. In this complaint he is challenging the implied rejection of them.

2. This complaint is no more receivable than the one dismissed in Judgment 1692. That judgment explained that he was asking for -

"a final decision on a request by him for a suitably organised internal inquiry which, if positive, would result in his 'reintegration' and compensation and redress for the various injuries he had alleged"

and held that his complaint was -

"not based on any allegation of non-observance in substance or in form of the terms of his appointment or of the provisions of the WHO Staff Regulations."

The claims which the complainant put to the Director-General on 7 February 1998 are the same as before, and he is not pleading breach of the terms of his appointment or of the WHO's Staff Regulations. So this complaint too must fail.

3. Even were it treated as an application for review it offers no grounds for overturning Judgments 789 and 1692, which are *res judicata*.

4. The complaint being clearly irreceivable, the Tribunal dismisses it under the summary procedure in Article 7 of its Rules.

DECISION

For the above reasons,

The complaint is dismissed.

In witness of this judgment, adopted on 18 November 1998, Mr. Michel Gentot, President of the Tribunal, Mr. Julio Barberis, Judge, and Mr. Jean-François Egli, Judge, sign below, as do I, Allan Gardner, Registrar.

Delivered in public in Geneva on 28 January 1999.

(Signed)

Michel Gentot

Julio Barberis

Jean-François Egli

A.B. Gardner

Updated by PFR. Approved by CC. Last update: 7 July 2000.