

Organisation internationale du Travail
Tribunal administratif

International Labour Organization
Administrative Tribunal

M.
v.
CERN

132nd Session

Judgment No. 4441

THE ADMINISTRATIVE TRIBUNAL,

Considering the complaint filed by Mr I. M. against the European Organization for Nuclear Research (CERN) on 6 August 2020;

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

Having examined the written submissions;

CONSIDERATIONS

1. The complainant indicates on the complaint form that he impugns a decision dated 5 May 2020 that he received on 7 May 2020. He filed his complaint with the Tribunal on 6 August 2020.

2. Pursuant to Article VII, paragraph 2, of the Statute of the Tribunal, “[t]o be receivable, a complaint must [...] have been filed within ninety days after the complainant was notified of the decision impugned”.

3. The ninety-day period provided for in Article VII, paragraph 2, of the Statute ended on 5 August 2020. Accordingly, the complaint filed on 6 August 2020 is time-barred and clearly irreceivable and must therefore be summarily dismissed in accordance with the procedure set out in Article 7 of the Rules of the Tribunal.

DECISION

For the above reasons,
The complaint is dismissed.

In witness of this judgment, adopted on 14 June 2021, Mr Patrick Frydman, President of the Tribunal, Ms Dolores M. Hansen, Vice-President of the Tribunal, and Mr Giuseppe Barbagallo, Judge, sign below, as do I, Dražen Petrović, Registrar.

Delivered on 7 July 2021 by video recording posted on the Tribunal's Internet page.

PATRICK FRYDMAN

DOLORES M. HANSEN

GIUSEPPE BARBAGALLO

DRAŽEN PETROVIĆ