

EIGHTY-FOURTH SESSION

In re Steele (No. 3)

Judgment 1691

The Administrative Tribunal,

Considering the third complaint filed by Mr. David Brian Steele against the International Labour Organization (ILO) on 27 January 1997 and corrected on 16 March 1997;

Considering Articles II, paragraph 1, and VII, paragraph 3, of the Statute of the Tribunal and Article 7 of its Rules;

Having examined the written submissions and disallowed the complainant's application for hearings;

CONSIDERATIONS

1. The complainant left the service of the ILO at the end of 1975 in the circumstances narrated in Judgment 310 delivered on 6 June 1977, in which the Tribunal declined to order renewal of his contract and his reinstatement. That matter is therefore *res judicata*.

2. The complainant addressed a letter to the Director-General of the International Labour Office on 24 November 1996. It was delivered to the Office on 29 November 1996 and asked for a final decision on a request by him for a suitably organised internal inquiry which, if positive, would result in compensation and redress for the various injuries he had alleged.

3. He lodged a complaint with the Tribunal on 27 January 1997 challenging the implied rejection of that request under Article VII(3) of the Tribunal's Statute.

4. Quite apart from the fact that the complainant did not observe the time limits laid down in that provision, the Tribunal is not competent under Article II(1) of its Statute to entertain the substance of his complaint, which is 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 ILO Staff Regulations.

5. Since the complaint is therefore clearly irreceivable, the Tribunal dismisses it summarily under Article 7 of its Rules.

DECISION

For the above reasons,

The complaint is dismissed.

In witness of this judgment Miss Mella Carroll, Judge, Mr. Mark Fernando, Judge, and Mr. James K. Hugessen, Judge, sign below, as do I, Allan Gardner, Registrar.

Delivered in public in Geneva on 29 January 1998.

Mella Carroll
Mark fernando
James K. Hugessen

A.B. Gardner