

The Administrative Tribunal,

Considering the application for review of Judgment 2614, filed by Mr H.C. S. on 30 March 2007;

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

Having examined the written submissions;

CONSIDERATIONS

1. The complainant seeks the review of Judgment 2614 by which the Tribunal dismissed his seventh complaint against the World Health Organization (WHO). In that matter the complainant sought, amongst other things, to have a decision refusing to reclassify his post set aside and asked that a new classification exercise be undertaken. He also asked for “compensation for serious material and moral injury” and costs.
2. The complainant contends that in Judgment 2614 the Tribunal drew mistaken conclusions from the evidence. In particular, he claims that the Tribunal should have found that various actions of WHO, including his transfer from the Travel Unit to the Text Processing and Printing Unit (TPP) and the manner in which the classification review exercise was conducted, were indicative of personal prejudice on the part of the Organization. He also claims that prejudice is to be inferred from the fact that other posts were reclassified. Additionally, he refers to the clerical nature of the work that he performed in TPP, the “truncated” nature of the post to which he returned in the Travel Unit and the refusal to award him a career service appointment as evidence of prejudice and/or discrimination.
3. In Judgment 2614 the Tribunal considered the factual matters then relied upon by the complainant and which are now repeated. The complainant’s allegations were considered both in their individual context and cumulatively, but the Tribunal held that, neither individually nor cumulatively, did the evidence support a finding of personal prejudice.
4. It was for the complainant to substantiate his allegations, particularly those of prejudice and discrimination. Given that and given also the matters advanced by the Organization, it was well open to the Tribunal to conclude that the complainant’s allegations were unsubstantiated. Accordingly it cannot be said, as the complainant now contends, that the Tribunal drew mistaken conclusions from that evidence. His application for review must therefore be dismissed in accordance with the summary procedure provided for in Article 7 of the Rules of the Tribunal.

DECISION

For the above reasons,

The application is dismissed.

In witness of this judgment, adopted on 9 November 2007, Mr Seydou Ba, President of the Tribunal, Ms Mary G. Gaudron, Vice-President, and Ms Dolores M. Hansen, Judge, sign below, as do I, Catherine Comtet, Registrar.

Delivered in public in Geneva on 6 February 2008.

Seydou Ba

Mary G. Gaudron

Dolores M. Hansen

Catherine Comtet

Updated by SD. Approved by CC. Last update: 27 February 2008.