

112th Session

Judgment No. 3093

THE ADMINISTRATIVE TRIBUNAL,

Considering the fourth complaint filed by Mrs K. J.L. against the World Health Organization (WHO) on 27 April 2009;

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

Having examined the written submissions;

CONSIDERATIONS

1. This complaint is brought against WHO's decision of 24 April 2009 not to grant the complainant access to certain information in its files which was relevant to the proceedings that resulted in Judgment 2839. As the complainant is a former staff member, she may not avail herself of WHO's internal appeal process and she filed the complaint directly with the Tribunal.

2. As the complainant separated from service on 1 January 2007, there is no basis on which the Organization's refusal to give her access to information that she requested in April 2009 could constitute non-observance, in substance or in form, of the terms of her appointment or of the Staff Regulations, as required by Article II

of the Statute of the Tribunal. The complaint is therefore clearly irreceivable and must 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 complaint is dismissed.

In witness of this judgment, adopted on 11 November 2011, 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 8 February 2012.

Seydou Ba
Mary G. Gaudron
Dolores M. Hansen
Catherine Comtet