

Organisation internationale du Travail
Tribunal administratif

International Labour Organization
Administrative Tribunal

E.

v.

UNWTO

127th Session

Judgment No. 4123

THE ADMINISTRATIVE TRIBUNAL,

Considering the complaint filed by Mr J. C. E. against the World Tourism Organization (UNWTO) on 17 September 2018;

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, who identifies himself as a former grade D.2 official of UNWTO, filed a complaint with the Tribunal indicating on the complaint form that he impugns, under Article VII, paragraph 3, of the Tribunal's Statute, the tacit rejection of a claim that he notified to UNWTO on 26 July 2018. However, the only document that he has provided bearing that date is a formal statement addressed to the Labour Court of Madrid concerning a monetary claim that he seeks to assert against UNWTO.

2. The document in question, which was filed with a Spanish court for the purpose of initiating legal proceedings under Spanish law, cannot be considered as a claim within the meaning of Article VII, paragraph 3, of the Tribunal's Statute. The complainant has produced

no evidence of a claim that he addressed directly to UNWTO and to which he received no response within the sixty-day period provided for in Article VII, paragraph 3. His complaint is therefore clearly irreceivable and must 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 9 November 2018, Mr Giuseppe Barbagallo, President of the Tribunal, Ms Dolores M. Hansen, Judge, and Mr Yves Kreins, Judge, sign below, as do I, Dražen Petrović, Registrar.

Delivered in public in Geneva on 6 February 2019.

GIUSEPPE BARBAGALLO

DOLORES M. HANSEN

YVES KREINS

DRAŽEN PETROVIĆ