
Case No.: UNDT/GVA/2009/35

Judgment No.: UNDT/2009/029

Date: 06 October 2009

Introduction

1. The application deals with delay of proceedings within the former system of administration of justice and refers to events transpiring in 2003.

Facts

2. On 3 June 2009, the Geneva Joint Appeals Board (JAB) received a submission dated 29 September 2008 on behalf of the Applicants, “related to the Secretary-General’s decision as announced in the letter of the Under-Secretary-General for Management” dated 9 April 2007. In their submission, the Applicants requested the JAB “to determine” the following:

4. Having noted that the submission did not contain any letters from the Applicants authorizing their counsel to act on their behalf, the JAB requested them to provide an original letter signed by them confirming the person who had signed the application as their counsel. The Applicants, however, did not reply.

5. As per Secretary-General's Bulletin ST/SGB/2009/11 dated 24 June 2009, the application was transferred to the Geneva United Nations Dispute Tribunal as of 1 July 2009.

6. By letters dated 18 August 2009, the Applicants were requested again to provide an original letter signed by them authorizing [Mr...] as their counsel.

7. In the absence of a reply from the Applicants, by Order dated 23 September 2009, they were requested to

. The Applicants were also informed that the Dispute Tribunal intended to decide on the case by summary judgment in case they failed to provide the requested information.

8. Applicant 1 did not reply to the Order issued by the Tribunal. By e-mail dated 28 September 2009, Applicant 2 confirmed [Mr...] as his counsel.

Considerations

9. According to art. 9 of the Rules of Procedure (RoP) of the United Nations Dispute Tribunal (UNDT RoP), which are based on art. 7.2 of the Statute of the

Applicant 1 and second, the remedies requested in the application - are such matters of law.

10. According to art. 8.1 (b), 3.1 and 2.1 of the UNDT Statute any case before the Dispute Tribunal has to be filed by way of individual application. According

13. In the application of the case at hand, requests for rescission of an administrative decision or an amount of compensation in that sense cannot be found. Requests are restricted to “detailed reasons for the JAB not having prepared the report for almost three years”, or “what information was provided [to a certain person]” and so on. The only remedy sought is an apology from the