

UNITED NATIONS DISPUTE TRIBUNAL

Case No.:

UNDT/GVA/2010/019

Judgment No.:

(UNAT 1601) UNDT/2010/075

Date:

30 April 2010

English

Original:

French

Before:

Judge Jean-François Cousin

Registry:

Geneva

Registrar:

Víctor Rodríguez

GHAHREMANI

V

SECRETARY-GENERAL OF THE UNITED NATIONS

JUDGMENT

Counsel for applicant:

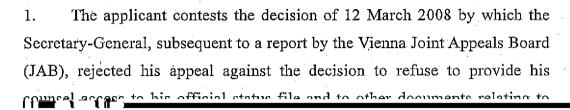
Winston Sims

Counsel for respondent:

Linda Starodub, UNOV

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Introduction



the decision to bar him from the premises of the Vienna International Centre (VIC).

2. He requests the Tribunal to secure the documents sought by his counsel and to order the Administration to pay him three years' salary at the

pay his counsel the sum of 25,000 US dollars.

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from January 1995 onwards. That request was refused on 8 and 9 August 2006.

On 25 October 2006, the applicant's counsel asked the Secretary-

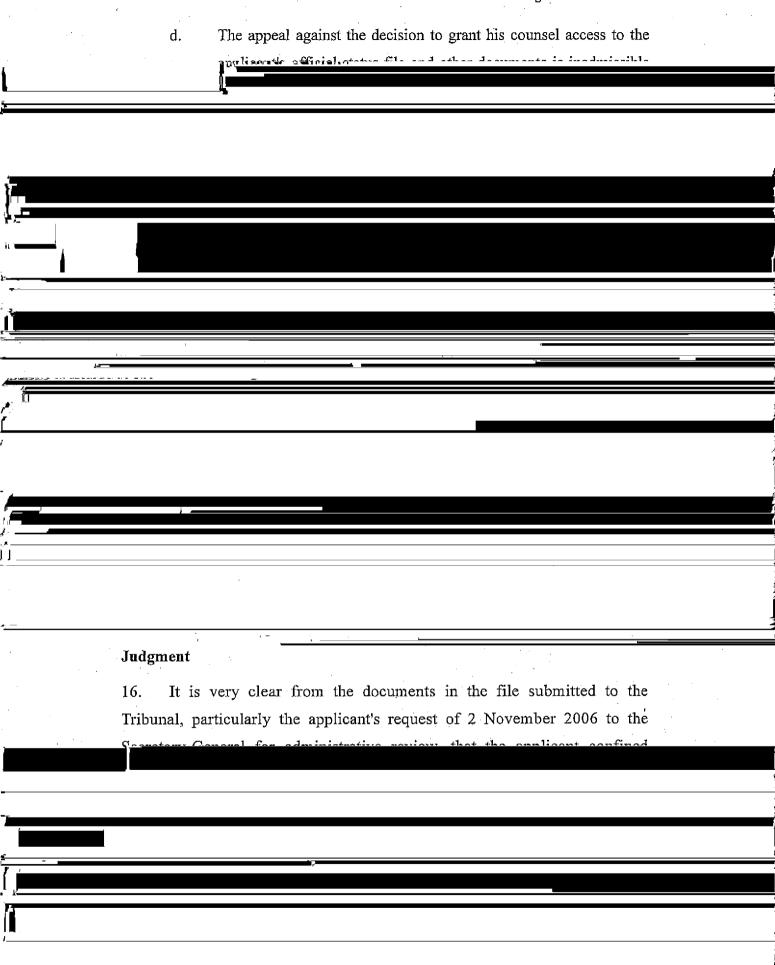
General for administrative review of the decisions to refuse him access to

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- b. Neither JAB nor the Secretary-General examined the question whether his barring from VIC had infringed his rights;
- The decision by the Director, Division for Management, UNOV, to deny him access to VIC constitutes an abuse of power;
- d. Contrary to the respondent's contention, there was a legal relationship between the Administration and the applicant as a former staff member;
- e. The parties did not raise the question of competence *ratione*personae and ratione materiae before JAB, but JAB raised it in favour of the respondent;

		favour of the respondent;		
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21.	Consequently, the contested decision cannot have adversely affected his	
	s of appointment as a former staff member and, pursuant to the	
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therefo	fore irreceivable before the present Tribunal which may only hear	
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	cations that were receivable before UNAT. The application must therefore	
be reje	jected.	

Decision

22. In view of the foregoing, the Tribunal DECIDES:

The application is rejected.