

## EIGHTY-SIXTH SESSION

### ***In re Steele (No.4)***

#### **Judgment 1794**

The Administrative Tribunal,

Considering the fourth complaint filed by Mr. David Brian Steele on 23 June 1998 against the International Labour Organization (ILO);

Considering Article II, paragraph 1, of the Statute of the Tribunal and Article 7 of its Rules;

Having examined the written submissions;

#### CONSIDERATIONS

1. Mr. Steele left the staff of the International Labour Organization at the end of 1975. Judgment 1691 dismissed as clearly irreceivable the third complaint which he had lodged against the Organization. On 7 February 1998 he again put his claims to the Director-General. In this complaint he is challenging the implied rejection of them.

2. This complaint is no more receivable than the one dismissed in Judgment 1691. That judgment explained that he was asking for -

"a final decision on a request by him for a suitably organised internal inquiry which, if positive, would result in compensation and redress for the various injuries he had alleged"

and held that his complaint was -

"not based on any allegation of non-observance in substance or in form of the terms of his appointment or of the provisions of the ILO Staff Regulations."

The claims which the complainant put to the Director-General on 7 February 1998 are the same as before, and he is not pleading breach of the terms of his appointment or of the ILO's Staff Regulations. So this complaint too must fail.

3. Even were it treated as an application for review it offers no grounds for overturning Judgments 310 and 1691, which are *res judicata*.

4. The complaint being clearly irreceivable, the Tribunal dismisses it under the summary procedure in Article 7 of its Rules.

#### DECISION

For the above reasons,

The complaint is dismissed.

In witness of this judgment, adopted on 18 November 1998, Mr. Michel Gentot, President of the Tribunal, Mr. Julio Barberis, Judge, and Mr. Jean-François Egli, Judge, sign below, as do I, Allan Gardner, Registrar.

Delivered in public in Geneva on 28 January 1999.

(Signed)

Michel Gentot

Julio Barberis

Jean-François Egli

A.B. Gardner

Updated by PFR. Approved by CC. Last update: 7 July 2000.