



World Bank Administrative Tribunal

2013

Order No. 2013-1

**Yang-Ro Yoon (No. 21),
Applicant**

v.

**International Bank for Reconstruction and Development,
Respondent**

**World Bank Administrative Tribunal
Office of the Executive Secretary**

**Yang-Ro Yoon (No. 21),
Applicant**

v.

**International Bank for Reconstruction and Development,
Respondent**

1. This order is rendered by the Tribunal in plenary session, with the participation of Judges Stephen M. Schwebel (President), Florentino P. Feliciano (Vice-President), Mónica Pinto (Vice-President), Jan Paulsson, Francis M. Ssekandi and Ahmed El-Kosheri.
2. The Application, the Applicant's twenty-first before the Tribunal, was received on 8 June 2012. The Applicant was represented by George Pieler, Attorney at Law, and the Bank was represented by David R. Rivero, Chief Counsel (Institutional Administration), Legal Vice Presidency.
3. The Applicant challenges the alleged decision by the Bank to transmit information regarding restrictions imposed by the Bank on her access to the Bank-Fund Staff Federal Credit Union ("BFSFCU"), a non-Bank entity located on the Bank's premises. The Applicant also contends that the Bank transmitted to the BFSFCU information containing derogatory and defamatory allegations, and failed to notify or warn the Applicant of the wrongful transmission of such information to the BFSFCU, depriving her, *inter alia*, of any opportunity to respond or defend herself.
4. While the Applicant frames the Application in the context of disclosure of confidential information to persons or entities outside the Bank Group, the Tribunal finds that the essence of the Applicant's twenty-first application is the restriction of the Applicant's access to physical premises which was addressed in *Yoon (Nos. 13, 14, 16, 17 & 18)*, Decision No. 447 [2011]. This access restriction has undoubtedly affected the Applicant's ability to utilize the physical facilities of the BFSFCU, and it is for this reason that the Applicant seeks, *inter alia*, the immediate restoration of "full access to credit union facilities and services, includ[ing] all BFSFCU physical facilities."
5. The Tribunal reminds the Applicant of the finality of its judgments as clearly stated in Article XI of its Statute. In Decision No. 447, para. 130, the Tribunal upheld the access restriction imposed on the Applicant and noted the Bank's "discretion regarding control of

access to its premises.” As was held in *Q*, Decision No. 370 [2007], para. 37, “common sense dictates that the Bank may take reasonable efforts to control or condition access to its premises, particularly by persons who are not currently members of the staff, and even where a ground may exist for a person’s entry.” Given the circumstances of the case, the communication of such access restrictions from the Bank to the BFSFCU, an entity located on these premises, was made to give effect to the access restrictions. Accordingly, the Tribunal finds that the Applicant’s twenty-first Application is in essence a re-litigation of matters previously resolved in Decision No. 447.

6. The Tribunal also finds the Applicant’s other contentions to be unsubstantiated.
7. For these reasons, the Tribunal concludes that the Application is devoid of all merit.

DECISION

The Application is summarily dismissed.

/S/ Stephen M. Schwebel
Stephen M. Schwebel
President

/S/ Olufemi Elias
Olufemi Elias
Executive Secretary

At Washington, D. C., 13 February 2013