

Sylvester Bynum,
Applicant

v.

International Bank for Reconstruction and Development,
Respondent

Order No. 2002-3

1. The World Bank Administrative Tribunal, composed of Francisco Orrego Vicuña, President, Thio Su Mien and Bola A. Ajibola, Vice Presidents, and A. Kamal Abul-Magd, Robert A. Gorman, Elizabeth Evatt and Jan Paulsson, Judges, has been seized of an application, received on January 18, 2002, by Sylvester Bynum against the International Bank for Reconstruction and Development. On February 12, 2002, the Executive Secretary of the Tribunal informed the Applicant that the President of the Tribunal had asked him, pursuant to Rule 7, paragraph 11, of the Rules of the World Bank Administrative Tribunal, to take no further action thereon until the next session of the Tribunal.

2. The Applicant had submitted a first application to the Tribunal on February 7, 2000. Given the extent of the deficiencies in the first application, the Executive Secretary of the Tribunal returned the application to the Applicant's counsel and requested in an accompanying letter that a corrected application be submitted within 10 days of the date of his receipt of the letter. As a corrected application was not received by the Secretariat until more than 60 days after the application was returned to the Applicant's counsel, and as no convincing arguments were presented to justify this lateness, the application was summarily dismissed by the Tribunal on May 18, 2000 as being clearly irreceivable.

3. The present application raises the same claims that were raised in the first application. In both applications, the Applicant states that his Appeal was "terminated" by the Appeals Committee on November 9, 1999.

4. Having considered the present application at its session of May 2002, the Tribunal concludes that it is clearly irreceivable in that it was filed well beyond the time limit for filing applications mandated by Article II, paragraph 2, of the Tribunal's Statute and the Applicant has presented no exceptional circumstances justifying this delay.

Decision

The Tribunal decides that the application be summarily dismissed.

/S/ Francisco Orrego Vicuña
Francisco Orrego Vicuña
President

/S/ Nassib G. Ziadé
Nassib G. Ziadé
Executive Secretary

At London, England, May 24, 2002