



**World Bank Administrative Tribunal**

**2019**

**Order No. 2019-04**

**FF,  
Applicant**

**v.**

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

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

**FF,  
Applicant**

**v.**

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

1. On 27 February 2019, the Tribunal received an Application filed by the Applicant against the International Bank for Reconstruction and Development.
2. Prior to this Application, the Applicant submitted an application to the Tribunal on 27 April 2018 requesting to intervene in the case of *DZ (Merits)*, Decision No. 589 [2018]. In her application to intervene the Applicant sought retirement benefits under the Staff Retirement Plan (SRP) Gross Plan.
3. By letter from the Tribunal dated 9 May 2018, the Applicant was granted intervenor status in *DZ (Merits)*. In this letter, the Applicant was notified that “as an intervenor seeking to be bound by the decision in this case, the judgment of the Tribunal shall be final and binding with respect to the claims you raised in your application pursuant to Article XI of the Tribunal’s Statute.”
4. On 18 October 2018, *DZ (Merits)* was decided by the Tribunal. In this judgment, the individual circumstances of the intervenors were discussed at paragraphs 124–126. Ultimately, the applicant in *DZ (Merits)* did not prevail on her claims. With regard to the effect and finality of the judgment on the intervenors, paragraph 87 of the judgment clearly states, “[T]he intervenors are bound by the Tribunal’s judgment.”
5. Echoing her application to intervene, the Applicant requests in this Application compensation “with regards to the difference [the] Applicant suffered as a loss in comparison to the Gross Plan vs. the Net Plan.”
6. While the Applicant acknowledges her participation in the *DZ (Merits)* case, she requests the Tribunal to review her case as an individual matter, stating, “Had the outcome of [the *DZ*

(*Merits*)] case been successful it would have had a favorable impact on my case, therefore I find it necessary to present my case as an independent case and, again, humbly ask that you consider my claim.”

7. The Applicant provides no explanation as to how her current contentions differ from those argued in her application to intervene. Instead, the Applicant acknowledges that she is again attempting to be placed under the SRP Gross Plan.

8. Article XI of the Tribunal’s Statute states, “Judgments shall be final and without appeal.”

9. Rule 7(11) of the Tribunal’s Rules states as follows:

If it appears that an application is clearly irreceivable or devoid of all merit, the President may instruct the Executive Secretary to take no further action thereon until the next session of the Tribunal. The Tribunal shall then consider the application and may either adjudge that it be summarily dismissed as clearly irreceivable or devoid of all merit, or order that it should be proceeded with in the ordinary way.

10. In practice, the Tribunal has summarily dismissed applications if deemed “devoid of all merit.” In *Witter*, Order No. 1997-1 [1997], para. 4, the Tribunal concluded that an application that is “essentially repetitive of, and indistinguishable from, [the applicant’s] earlier application” will be found to be devoid of all merit, and summarily dismissed. (*See also, Yoon (No. 21)*, Order No. 2013-1 [2013], paras. 5–7 and *Romain (No. 2)*, Order No. 1997-2 [1997], para. 4.)

11. This Application raises matters that have been previously addressed by the Tribunal in *DZ (Merits)*, to which the Applicant was an intervenor. The Applicant either misunderstands or is ignoring the finality of the Tribunal’s judgment.

12. Pursuant to Rule 7(11) of the Tribunal’s Rules, the Tribunal deems it appropriate to dismiss this case.

13. The Tribunal grants the Applicant anonymity.

DECISION

The Application is dismissed.

/S/ Mónica Pinto

Mónica Pinto

President

/S/Zakir Hafez

Zakir Hafez

Executive Secretary

At Washington, D.C., 25 October 2019