

Summary of GZ v. IBRD (Preliminary Objection), Decision No. 689 [2023]

The Applicant alleged unfair treatment and violations of due process by the Ethics and Business Conduct Department. The Applicant submitted her Application on 6 December 2022, however the Application did not meet the formal requirements of the Tribunal's Rules. Pursuant to Rule 7, paragraph 9, of the Tribunal's Rules, the Executive Secretary called upon the Applicant to make the necessary corrections to the Application.

The Bank averred that the Application should be dismissed because (i) it failed to identify any specific non-observance of the Applicant's contract of employment or terms of appointment and (ii) the corrected Application was not filed in a timely manner.

The Tribunal found that the Applicant presented an Application alleging a plausible claim of the non-observance of her contract of employment or terms of appointment and that the circumstances warrant an examination of the merits of her allegations.

With respect to the timeliness of the Application, the Tribunal observed that the parties agreed that the Application was filed within the time limit specified in Article II(2) of the Tribunal's Statute, albeit without meeting all of the formal requirements of Rule 7 of the Tribunal's Rules. It further stated that the Application's deficiency did not signify that the Application was submitted out of time, because paragraph 9 of Rule 7 of the Tribunal's Rules afforded the Applicant the possibility of correcting her Application. Given these circumstances, the Tribunal found that the Application was filed in a timely manner.

Decision: The Bank's preliminary objections were dismissed, and the Bank was ordered to contribute to the Applicant's legal fees and costs.