

Summary of FB v. IBRD (Preliminary Objection), Decision No. 609 [2019]

The Applicant challenged (i) the Bank's alleged failure to attribute the Applicant as a co-author and co-editor of a Bank publication; (ii) the Bank's decision to remove the Applicant's work program without notice in July 2018; and (iii) the Bank's decision not to renew the Applicant's contract for a period of one year. The Bank filed a preliminary objection challenging the admissibility of the Applicant's first claim, claiming that (i) the Applicant had failed to state a claim alleging violations of her rights under her contract of employment or terms of appointment; (ii) decisions regarding Bank publications were not subject to the Tribunal's review; and (iii) the Applicant had failed to exhaust internal remedies.

Having examined the record, the Tribunal dismissed the Bank's preliminary objections. Regarding the first objection raised by the Bank, the Tribunal found that the Applicant had presented a plausible claim of the Bank's violation of her rights under Principles 2.1 and 9.1 of the Principles of Staff Employment for its failure to attribute her work in the Bank publication. With respect to the Bank's second objection, the Tribunal held that it had jurisdiction to review the decisions made by the Applicant's managers and the Bank's Acquisitions Editor to determine whether they have been reached in violation of Principles 2.1 and 9.1 of the Principles of Staff Employment and therefore in violation of the Applicant's contract of employment or terms of appointment. Finally, the Tribunal dismissed the Bank's third objection, noting that based on the record the Applicant had demonstrated that she exhausted the required internal remedies in a timely manner.

Decision: The Bank's preliminary objections were dismissed.