

Having conferred *in camera* on 30 August with Counsel for both parties and obtained agreement upon the conduct of proceedings in individual cases ;

Having duly examined the personal dossiers maintained by the Bureau of Personnel in respect of each Applicant ;

Having considered the written evidence furnished by Counsel for the Applicants and Counsel for the Respondent in reply to the questions put by the Tribunal in public hearings on 25 August and 30 August 1951 ;

Pronounced in public hearing on 4 September 1951 the following judgement :

The Tribunal finds that, while the statements of cause assigned by the Secretary-General for the termination of her temporary-indefinite contract are in style of conclusions rather than causes and lack the specificity which the Tribunal regards as desirable, they undoubtedly constitute adequate reasons for termination.

However, inasmuch as Mrs. Keeney was at no time in a position to plead directly to the statements of cause for termination assigned by the Secretary-General, an essential element of procedural due process is lacking.

The Tribunal finds that the application of Mrs. Keeney is well founded and orders that the decision contested by the Applicant be rescinded in accordance with article 9 of the Statute of the Tribunal.

Judged and pronounced in public hearing on 4 September 1951, at New York, by the Administrative Tribunal composed of the members whose names are indicated above.

(Signatures)

Digvijaysinhji of NAWANAGAR

President

Mani SANASEN

Executive Secretary

Judgement No. 7

Case No. 19 :
Picou

***Against:* The Secretary-General
of the United Nations**

THE ADMINISTRATIVE TRIBUNAL OF THE UNITED NATIONS,

Composed of Lieutenant-General His Highness the Maharaja Jam

Saheb of Nawanagar, President ; Mr. Rowland Andrews Egger, Vice-President ; Dr. Hamed Sultan ; Dr. Emilio Oribe, alternate member ;

Having been seized of the application filed by Miss Jeanne Picou on 28 June 1951 alleging the improper termination of her temporary-indefinite contract and the Respondent's answer of 31 July 1951 and of subsequent documentation furnished by the Applicant ;

Having in its judgement delivered in open hearing on 25 August 1951, pronounced upon the legal issues respecting the two points common to the group of cases pending before it ;

Having duly examined the personal dossiers maintained by the Bureau of Personnel in respect of each Applicant ;

Having considered the written evidence furnished by Counsel for the Applicants and Counsel for the Respondent in reply to the questions put by the Tribunal in public hearings on 25 August and 30 August 1951 ;

Pronounced in public hearing on 4 September 1951 the following judgement :

The Tribunal finds that the causes assigned by the Secretary-General in the termination of Miss Picou's temporary-indefinite contract constitute a reasonable statement of grounds for separation. The Tribunal is likewise of the opinion that alternative causes for separation have not been proved.

While the Tribunal deplores the manner and circumstances of Miss Picou's termination, it is limited by the terms of its Statute in the provision of redress for such incidents.

It appears to the Tribunal that the statement of reasons given for not attempting to place Miss Picou in another position in the Secretariat is within the rule laid down in the Tribunal's decision of 25 August 1951.

The Tribunal finds that the application is not well founded and in accordance with article 9 of the Statute of the Tribunal the action of the Administration is sustained.

Judged and pronounced in public hearing on 4 September 1951, at New York, by the Administrative Tribunal composed of the members whose names are indicated above.

(Signatures)

Digvijaysinhji of NAWANAGAR
President

Mani SANASEN
Executive Secretary
