

ADBAT 2023 ANNOUNCEMENTS OF APPLICATIONS AND WITHDRAWALS

(Pursuant to Para. 15, Rule 6 of the ADBAT Rules of Procedure)

ADBAT Application No. 2022-03 - **Withdrawn**

On 3 February 2023, the ADB Administrative Tribunal received electronically through its email address a Withdrawal of Application which withdrawal was accepted by the Tribunal President on 07 February 2023 pursuant to Para. 2, Rule 14 of the ADBAT Rules of Procedure.

ADBAT Application No. 2022-04 - **Withdrawn**

On 3 February 2023, the ADB Administrative Tribunal received electronically through its email address a Withdrawal of Application which withdrawal was accepted by the Tribunal President on 07 February 2023 pursuant to Para. 2, Rule 14 of the ADBAT Rules of Procedure.

ADBAT Application No. 2022-05 - **Withdrawn**

On 3 February 2023, the ADB Administrative Tribunal received electronically through its email address a Withdrawal of Application which withdrawal was accepted by the Tribunal President on 07 February 2023 pursuant to Para. 2, Rule 14 of the ADBAT Rules of Procedure.

ADBAT Application No. 2023-01 – **Ruled as Inadmissible**

On 04 January 2023, the ADB Administrative Tribunal Secretariat received electronically through its email address an “APPLICANT’S INCOMPLETE STATEMENT OF APPEAL” with Annexes 1 and 2 which essentially requested the Tribunal to be allowed to file on or before 24 February 2023 a complete Application.

The Application and its annexes were forwarded to the members of the Tribunal pursuant to Paragraphs 12 and 13 of Rule 6 (*Dismissal of Clearly Inadmissible Application*) of the ADBAT Rules of Procedure. The Tribunal President, on consultation with the other members of the Tribunal, resolved to declare the Application as clearly inadmissible for failing to set out the facts and the legal grounds on which the pleas are based pursuant to Paragraphs 4 and 5, Rule 6 (*Pleas; Explanatory Statement*) of the ADBAT Rules of Procedure.

ADBAT Application No. 2023-02 – **Decision No. 129**

On 22 February 2023, the Secretariat of the ADB Administrative Tribunal received electronically the Application with Annexes 1 to 3, appealing the decision of the SRP Administration Committee which denied the Applicant’s request to rescind the original choice made on splitting of the pension currency on the ground that the original choice was made on the basis of false and misleading information conveyed to the Applicant regarding his normal pension; that Section 5.3(a) of SRP legal documents is discriminatory toward SRP participants eligible to incapacity pension; alleging that the Bank “did not show accountability and duty of care towards Applicant” on the request for rescission, and that the Bank “consistently avoided the Applicant’s requests and abused its internal procedures to the detriment of the Applicant’s dignity as ADB retiree,” which constitute bases for Applicant’s claims for damages and reasonable legal costs incurred in the submission of the Application. In addition, the Application seeks a ruling from the Tribunal on proper date when the 90-day

period to appeal from a final decision of the SRP Administration Committee should be counted.

ADBAT Application No. 2023-03 – Decision No. 130

On 09 March 2023, the ADB Administrative Tribunal Secretariat received electronically through its email address the Application with Annexes I to III (Annexes III.a to III.f), with certified true copies of Annexes III.a to III.f being filed electronically on 15 March 2023 in accordance with the instructions of the Executive Secretary pursuant to Rule 6, Para. 11 of the ADBAT Rules of Procedure.

The Application seeks to annul the restriction of “Physical presence in a new country for at least one year” enforced under the *Guidelines for Change in Currency of Pension Payment* as restrictive of Applicant’s right of freed of movement in violation of Article 13 of the Universal Declaration of Human Rights. The Application seeks to direct the SRP Administrative Committee to (a) convert 80 percent of Applicants pension from Sri Lanka rupees to US dollars to allow Applicant to move and live to Manila, Philippines; and (b) with the BPOD-RIU of ADB to pay US\$500,000 as compensation for not allowing Applicant to move to Manila, Philippines by enforcing an unfair restriction on physical movement and not taking timely decisions.

ADBAT Application No. 2023-04 – Decision No. 128

On 25 April 2023, the Applicant submitted an “Application pursuant to Article XI of the Statute of the Administrative Tribunal of Asian Development Bank Statute and Rule 10 of the Rules of Procedure of the Administrative Tribunal,” in “Ms. N. v. Asian Development Bank (Decision No. 124).”

– AS OF 7 NOVEMBER 2023 THERE ARE NO PENDING OR NEW APPLICATIONS –

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