Introduction

1. The applicant contests the withdrawal of the offer for an internship with the International Trade Law Division (ITLD) at the United Nations Office at Vienna (UNOV). She seeks among other things compensation for useless travel and housing expenses and for being unemployed consequently.

2. The pre-eminent issue is whether she has access to the Tribunal.

Facts

3. On 2 February 2009, the applicant began an unpaid internship with the United Nations Office on Drugs and Crime (UNODC), which was expected to last for six months. On 13 May 2009, the internship was interrupted by mutual consent due to a conflict with her supervisor.

4. On 14 May 2009, the applicant was offered by the Division of Management of UNOV to complete her internship with ITLD from 1 October to 27 November 2009.

Parties' contentions

9. The applicant's principal contentions are:

a. The application should be considered as receivable. According to

e. The respondent failed to warn her in time to return the ground pass. Furthermore, the respondent failed to give her an opportunity to defend herself before withdrawing the offer. This is a breach of her human rights.

10. The respondent's principal contention is that pursuant to paragraph 7 of General Assembly resolution 63/253, interns have the possibility of requesting an

15. In Judgments UNDT/2010/098, Gabaldon, and UNDT/2010/142, Roberts, the Tribunal held that the limitation of its jurisdiction to persons having acquired the status of staff member was the clear wish of the General Assembly. Indeed, the General Assembly, which had considered proposals to open the Tribunal to non-staff personnel, such as Interns and Type II gratis personnel (e.g., A/62/748, referred to in A/RES/63/253), opted to reject such proposals and to limit the scope of the Tribunal's statute as reflected in article 3.1. Hence, this limitation does not constitute an unintended lacuna and there is no room for a larger interpretation of the actual wording of the statute. The limitation of the scope of the Tribunal's jurisdiction has been confirmed by the United Nations Appeals Tribunal in its Judgment 2010-UNAT-008, Onana.

16. The foregoing notwithstanding, the limitations of access to the Tribunal for different categories of non-staff personnel are still the subject of discussions. The General Assembly, in its resolution 64/233 dated 22 December 2009, requested the Secretary-General, with respect to remedies available to different categories of non-staff personnel, to analyse and c