

# **UNDT/2013/107, Al-Mulla**

## UNAT Held or UNDT Pronouncements

The UNDT found that the Applicant had already submitted these two documents along with his initial application of 19 December 2011 on which judgment No. UNDT/2012/045 was issued. Therefore, the Applicant cannot claim that these facts were new or that the Tribunal was unaware of them, since both documents were part of the application of 19 December 2011. The UNDT considered that the application for revision constituted an abuse of process for which the Applicant should bear costs of 800 USD based on art. 10.6 of the Statute of the Tribunal.

## Decision Contested or Judgment/Order Appealed

The Applicant applied for revision of judgment No. UNDT/2012/045, based on the alleged discovery of a decisive new fact, namely an email of 4 December 2009 regarding his contractual situation and his request for management evaluation of said email, dated 21 December 2009.

## Legal Principle(s)

Documents already on file when the initial judgment is rendered cannot constitute new decisive facts in the context of an application for revision of same judgment, under art. 12.1 of the Statute of the Tribunal. Such a request may constitute an abuse of process for which the Tribunal may award costs.

## Outcome

Revision, correction, interpretation or execution

## Full judgment

[Full judgment](#)

## Applicants/Appellants

Al-Mulla

## Entity

UN Secretariat

## Case Number(s)

UNDT/GVA/2013/19

## Tribunal

UNDT

## Registry

Geneva

## Date of Judgement

23 Aug 2013

## Duty Judge

Judge Cousin

## Language of Judgment

English

French

## Issuance Type

Judgment

## Categories/Subcategories

Abuse of process before UNDT/UNAT  
Judgment-related matters

Revision of Judgment

## Applicable Law

UNDT RoP

- Article 29

UNDT Statute

- Article 10.6
- Article 12.1