

2011-UNAT-126, Lesar

UNAT Held or UNDT Pronouncements

UNAT considered an application for revision of Judgment No. 1465 of the former UN Administrative Tribunal submitted by Mr Lesar. UNAT noted that General Assembly resolution 63/253 was silent on the question of revision of judgments handed down by the former UN Administrative Tribunal during the period prior to its abolishment. UNAT held that the omission did not constitute a denial of the right to an effective remedy since a tribunal had already dispensed justice. UNAT held that it was not competent to revise the former UN Administrative Tribunal Judgment and that therefore, the application was not receivable. UNAT dismissed the application.

Decision Contested or Judgment/Order Appealed

Mr Lesar contested the decision to inform the Austrian authorities that he was the subject of an investigation. In Judgment No. 1465 Applicant (2009), the former UN Administrative Tribunal rejected Mr Lesar's appeal.

Legal Principle(s)

UNAT does not have the authority to revise judgments handed down by the former UN Administrative Tribunal. Only the court that handed down a decision has the power to revise it unless a rule of law determines to transfer it to another court.

Outcome

Appeal dismissed on merits

Full judgment

[Full judgment](#)

Applicants/Appellants

Lesar

Entity

UNMIK

Case Number(s)

2011-192

Tribunal

UNAT

Registry

New York

Date of Judgement

11 Mar 2011

President Judge

Judge Courtial

Language of Judgment

English

French

Issuance Type

Judgment

Categories/Subcategories

Judgment-related matters

Revision of Judgment

Applicable Law

GA Resolutions

- A/RES/63/253

UNAT Statute

- Article 11

Related Judgments and Orders

UNDT/2010/023