

2013-UNAT-323, Sims

UNAT Held or UNDT Pronouncements

UNAT considered an application for revision of judgment No. 2011-UNAT-154. UNAT held that the new evidence was irrelevant because the case was not receivable; neither UNDT nor UNAT had jurisdiction to hear Mr. Sims' case. UNAT denied the application.

Decision Contested or Judgment/Order Appealed

Previous UNAT judgment: The Applicant challenged the restriction placed on his access to the UN Office in Vienna. UNDT rejected the application, finding that a retiree who volunteered as counsel did not have a contractual relationship with the UN and thus, no right to challenge the Secretary-General's decision. In judgment No. 2011-UNAT-154, UNAT affirmed the UNDT judgment.

Legal Principle(s)

In an application for revision of judgment, any new evidence is irrelevant if UNAT has no jurisdiction.

Outcome

Appeal dismissed on receivability

Full judgment

[Full judgment](#)

Applicants/Appellants

Sims

Entity

UNOV

Case Number(s)

2010-157

Tribunal

UNAT

Registry

New York

Date of Judgement

8 Jul 2011

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Judgment-related matters

Revision of Judgment

Jurisdiction / receivability (UNAT)

Personal (ratione personae)

Jurisdiction / receivability (UNDT or first instance)

Personal (ratione personae)

Applicable Law

UNAT Statute

- Article 11.1
- Article 2(b)

Related Judgments and Orders

UNDT/2010/077