

2013-UNAT-393, Applicant

UNAT Held or UNDT Pronouncements

UNAT considered the Applicant's application for revision of judgment No. 2012-UNAT-209. UNAT held that the request filed by the Applicant constituted a disguised way to criticise the judgment or to expose grounds to disagree with it, a recourse against a final judgment that is not provided for in the UNAT Statute. UNAT held that the issuance of another judgment during the same session as which the Applicant's case was decided did not constitute a new fact, but rather law and that there was no possibility for a revision based on law. UNAT held that the application was submitted almost one year after the issuance of the judgment, which meant it was time-barred. UNAT held that the submission was manifestly inadmissible and would not be granted. UNAT dismissed the application for revision.

Decision Contested or Judgment/Order Appealed

In judgment No. 2012-UNAT-209, UNAT reversed the UNDT judgment on the Merits, finding that the decision to summarily dismiss the Applicant had been properly made and concluding that the appeal against the judgment on Compensation had become moot.

Legal Principle(s)

Res judicata cannot be readily set aside. An application seeking review of a final judgment rendered by UNAT can only succeed if it fulfils the strict and exceptional criteria established under the UNAT Statute.

Outcome

Revision, correction, interpretation or execution

Full judgment

[Full judgment](#)

Applicants/Appellants

Applicant

Entity

UNHCR

Case Number(s)

2013-472

Tribunal

UNAT

Registry

New York

Date of Judgement

17 Oct 2013

President Judge

Judge Simón

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Judgment-related matters

Revision of Judgment

Jurisdiction / receivability (UNAT)

Temporal (ratione temporis)

Applicable Law

UNAT RoP

- Article 1.2
- Article 24

UNAT Statute

- Article 10.2
- Article 11.1

Related Judgments and Orders

2012-UNAT-209

2011-UNAT-129

2010-UNAT-026bis

2010-UNAT-063

2011-UNAT-128

2012-UNAT-215