

2022-UNAT-1190, Emma Reilly

UNAT Held or UNDT Pronouncements

Ms. Reilly filed an application for correction. UNAT found that her application was in substance both an application for correction and revision. UNAT dismissed the application. UNAT held that the corrections sought were of no material relevance to the outcome and reasoning of the judgment. With respect to one correction sought, UNAT noted that the Secretary-General conceded that he had furnished the Appeals Tribunal with incorrect information - Ms. Reilly was on special leave with pay for four rather than six days in October 2019. UNAT, however, found that that was not a decisive fact, as it had no impact on the outcome of the case or the reasoning in it, and as such it did not warrant a correction or revision of judgment. UNAT also dismissed Ms. Reilly's request to include three additional paragraphs which she believed would give a fuller reflection of her submissions on grounds that Article 11 of the UNAT Statute does not contemplate the correction or revision of a judgment to include more elaborate legal arguments.

Decision Contested or Judgment/Order Appealed

By Judgment No. UNDT/2020/097, the UNDT dismissed Ms. Reilly's application which challenged "the procedure by which her request for protection from retaliation was processed, the failure to protect her from retaliation and the failure to follow up on Ethics Office recommendations subsequent to her request for protection from retaliation". Ms. Reilly filed an appeal and by Judgment No. 2021-UNAT-1079, UNAT dismissed the appeal.

Legal Principle(s)

A fact which is not decisive as it has no impact on the outcome of the case or the reasoning in it does not warrant a correction or revision of the Judgment. Article 11 of the Statute of the UNAT does not contemplate the correction or revision of a judgment to include more elaborate legal arguments.

Outcome

Revision, correction, interpretation or execution

Outcome Extra Text

UNAT dismissed the application.

Full judgment

[Full judgment](#)

Applicants/Appellants

Emma Reilly

Entity

UN Secretariat

Case Number(s)

2021-1546

Tribunal

UNAT

Registry

New York

Date of Judgement

18 Mar 2022

President Judge
Judge Murphy
Language of Judgment
English
Issuance Type
Judgment
Categories/Subcategories
Correction of Judgment
Revision of Judgment
Judgment-related matters
Applicable Law
UNAT Statute

- Article 11.1
- Article 11.2