

2024-UNAT-1410, AAH

UNAT Held or UNDT Pronouncements

The UNAT held that the facts upon which the staff member relied in his application for revision all post-dated the UNAT Judgment and therefore could not serve as a basis for revising or reconsidering the UNAT's prior conclusions. In particular, the UNAT found that the staff member's medical record, indicating a change in his condition after the issuance of the UNAT Judgment, did not constitute grounds for revising it.

However, the UNAT granted the staff member's request for anonymity for the present Judgment only, given the limited scope of the issues raised and the specific facts presented (particularly the medical evidence supporting a finding of a present and urgent medical need for anonymity at this stage of the proceedings).

The UNAT dismissed the application for revision.

Decision Contested or Judgment/Order Appealed

Previous UNAT Judgment: The Applicant, a former staff member of the Office of the United Nations High Commissioner for Refugees (UNHCR), contested the decision of the Administration to impose on him the disciplinary measure of dismissal for serious misconduct. In its Judgment No. 2023-UNAT-1406, the Appeals Tribunal rejected the staff member's request for anonymity and affirmed the UNDT Judgment dismissing his application.

Former staff member applied for revision of Judgment No. 2023-UNAT-1406.

Legal Principle(s)

An application for revision is not a substitute for an appeal, and its purpose should not be to litigate the case *de novo* merely because the applicant is dissatisfied with the outcome of the judgment.

Facts that occurred after a judgment has been issued cannot be the basis of an application for revision before the Appeals Tribunal.

The principle of transparency, enshrined in the system of administration of justice at the United Nations, requires that absent extraordinary circumstances, staff members who elect to bring claims for adjudication within the United Nations' internal justice system should expect that their names may be published along with the disposition of their claims.

Outcome

Revision, correction, interpretation or execution

Full judgment

[Full judgment](#)

Applicants/Appellants

AAH

Entity

UNHCR

Case Number(s)

2024-1891

Tribunal

UNAT

Registry
New York
Date of Judgement
15 Apr 2024
President Judge
Judge Ziadé
Judge Colgan
Judge Sheha
Language of Judgment
English
Issuance Type
Judgment
Categories/Subcategories
Judgment-related matters
Revision of Judgment
Procedure (first instance and UNAT)
Confidentiality
Applicable Law
UNAT RoP

- Article 24

UNDT Statute

- Article 11.1

Related Judgments and Orders

2023-UNAT-1406
UNDT/2022/104
2011-UNAT-163
2022-UNAT-1224
2013-UNAT-391
2022-UNAT-1193
2022-UNAT-1236
2014-UNAT-456