Introductio n

1.   On 26 September 2011, the United Nations Dispute Tribunal rendered a final decision in Case No. UNDT/NY/2010/098, under *Giacomo* UNDT/2011/168 ("Judgment"), whereby the Tribunal concluded it did not have jurisdiction to consider the Applicant's case and dismissed the application without consideration of its merits.

2.   On 26 October 2011, the Applicant filed an application in relation to the Tribunal's Judgment, ostensibly under art. 12.2 of the Statute of the Dispute Tribunal. In his application, the Applicant requests a number of corrections and revisions to paras. 1, 4, 6, 9, 11, 13–15, 20, 23, 25, 28–30, 39 of the Judgment, with regard to, *inter alia*, the scope of his case and the contested decisions, relevant facts and parties' submissions.

3.   On 9 November 2011, the Applicant filed an appeal against the Tribunal's Judgment with the United Nations Appeals Tribunal in accordance with art. 2.1 of the Statute of the Appeals Tribunal. This appeal was registered under Case No. 2011-269.

4.   The principal issue for consideration is whether the Dispute Tribunal has jurisdiction to consider this matter in light of the filing of an appeal.

5.   On the particular circumstances of this case, and in view of the fact that this judgment addresses matters of jurisdiction, the Tribunal did not deem it necessary to invite the Respondent's views on the present application.

Consideration

6.   Pursuant to art. 12.1 of the Tribunal's Statute, either party may apply "for a revision of an executable judgment on the basis of the discovery of a decisive fact which was, at the time the judgment was rendered, unknown to the Dispute Tribunal

Conclusion

13.   The application is dismissed.

(*Signed*)

Judge Ebrahim-Carstens

Dated this 23rd day of November 2011

Entered in the Register on this 23rd day of November 2011

(*Signed*)

Hafida Lahiouel, Registrar, New York