



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/GVA/2010/009

Order No.: 70 (GVA/2010)

Date: 18 August 2010

Original: English

Before: Judge Jean-François Cousin

Registry: Geneva

Registrar: Víctor Rodríguez

EID

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

ORDER

5. By the clear wording of this provision, the possibility of having a judgment reviewed is limited to cases where a “decisive fact”, unknown when the judgment was rendered, comes to the light.

6. Setting aside the circumstance that the judgment relied on by the respondent has not yet been issued and that his request for revision is founded on a mere synopsis, as a matter of principle, the rendering by the Appeals Tribunal of a decision on an appeal unrelated to the instant case does not constitute a fact pertaining to the case in question.

7. Moreover, the fact for an appellate court to create new jurisprudence may not, under any circumstances, lead the first instance court to revise a judgment that has already been notified to the parties.

Conclusion

8. In view of the foregoing, the request for revision is rejected.

(Signed)

Judge Jean-François Cousin

Dated this 18th day of August 2010

Entered in the Register on this 18th day of August 2010

(Signed)

Víctor Rodríguez, Registrar, UNDT, Geneva