



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NY/2015/016  
55 (NY/2016)  
Date: 29 February 2016  
Registry:

New York

**Registrar:** Hafida Lahiouel

KAWAS

v.

SECRETARY-GENERAL  
OF THE UNITED NATIONS

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**ORDER**

**ON WITHDRAWAL**

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**Counsel for Applicant:**  
Self-represented

**Counsel for Respondent:**  
Alan Gutman, ALS/OHRM, UN Secretariat  
Sarahi Lim Baró, ALS/OHRM, UN Secretariat

## **Introduction**

1. On 10 March 2015, the Applicant, an Editorial and Desktop Publishing Assistant at the G

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that the issues raised in the internal appeal were determined by [ILOAT] Judgment 2538. As explained in [ILOAT] Judgment 2316, under 11:

*Res judicata* operates to bar a subsequent proceeding if the issue submitted for decision in that proceeding has already been the subject of a final and binding decision as to the rights and liabilities of the parties in that regard.

involves a judgment on the merits of the case. Where, as here, a complaint is dismissed as irreceivable, there is no judgment on the