

Introduction

1. O* 20 A.g.s% 20157 %,e A88+)&a*%7 a for 'er /e*era+ Ser3)&e s%aff 'e' (er a% %,e U*)%e Na%)o*s C,) + re*9s 5.* #:UNICE5;\$ Off)&e)* 6 e<)&o7 f)+e a* a88+)&a%)o* &o*%es%)*g:

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1B. A* a88+)&a%)o* &a* (e 0)%, ra0* ora++> a* /or)*(Or)%)*g7 8ar%)a++> or e*)re+>. T,e 0)%, ra0a+ re?.es% &a* refer e)%,er %o %,e 8e*)*g a88+)&a%)o* #as a 8ro&e .ra+ a&%\$ or %o %,e r)g,% %o a88ea+)%se+f.

1A. If a*) e*)&a+ a88+)&a%)o*)s f)e (> %,e sa 'e a88+)&a*% aga)*s% %,e sa 'e 8ar%> af%er s,e or ,e 0a)3e ,er or ,)s r)g,% %o a88ea+ %,e 'a%%er7 %,e e<&e8%)o* of res judicata &a* (e ra)se (> %,e o%,er 8ar%> or ex officio (> %,e &o.r%)%se+f. Res judicata re?.)res %,ree &.' .+a%)3e e+e 'e*s%: #)\$ sa 'e 8ar%)esH #))\$ sa 'e o(Ce&%H a* #))\$ sa 'e +ega+ &a.se7 a* ,as (o%, *ega%)3e a* 8os))3e effe&%s:)%)s (+o&1)*g %,e for ' .+a%)o* of a *e0) e*)&a+ a88+)&a%)o* a* g .ara*%ees %,a%)%)s *o% 8oss)(+e %o r.+e)ffere*%+>)* %,e sa 'e 'a%%er.

20. Res judicata)s a ref+e&%)o* of %,e 8r)*&)8+e of +ega+ &er%)a)*%> a* oes *o% 8reC.)&e %,e f.* a 'e*%a+ r)g,% %o a fa)r %r)a+ s)*&e %,e a&&ess %o C.s)&e)s *o% a(so+. %e a* &a* (e s.(Ce&%e %o +)')%a%)o*s res.+)*g fro ' %,e a88+)&a%)o* of %,e o%,er 8r)*&)8+es. T,e 8r)*&)8+e of r.+e of +a0 a* %,e 8r)*&)8+e of +ega+ &er%)a)*%>7 e<8resse a+so (> res judicata7 re?.)re7 inter alia7 %,a% a*)rre3o&a(+e e&)%s)o* g)3e* (> %,e Tr)(. *a+ *o% %o (e f.r%,er ?.es%)o*e #non bis in idem\$ #see Shanks

