

SEVENTY-EIGHTH SESSION

***In re* CARRETTI (Nos. 6 and 7)**

(Applications for review)

Judgment 1387

THE ADMINISTRATIVE TRIBUNAL,

Considering the applications for review of Judgments 1162, 1163, 1294 and 1295 made by Miss Giuliana Carretti in the form of two complaints filed on 30 March and 5 May 1994 against the Food and Agriculture Organization of the United Nations (FAO);

Considering Articles II, paragraph 5, and VI, paragraph 1, of the Statute and Article 7 of the Rules of the Tribunal;

Having examined the written submissions;

CONSIDERATIONS:

1. The complainant, a former staff member of the Food and Agriculture Organization of the United Nations, has been in dispute with the Organization for several years about her administrative status. The Tribunal has ruled on the disputes in the following judgments:

No. 1162 of 29 January 1992, on her first complaint, dismissed her claim to the quashing of two warnings the FAO had given her for failing to maintain harmonious working relations and her claim to assignment to another post more to her liking.

No. 1163 of 29 January 1992, on her second complaint, set aside a decision by the Director-General to withhold her within-grade salary increment on the grounds of unsatisfactory service.

No. 1294 of 14 July 1993 dismissed her third complaint, which was an application for review of Judgment 1162.

No. 1295 of 14 July 1993, dismissed her fourth complaint, an application for review of Judgment 1163. No. 1360 of 13 July 1994 dismissed as irreceivable a fifth complaint whereby she sought the quashing of the Director-General's decision to terminate her appointment on the grounds of unsatisfactory performance.

2. The present complaints are her sixth and seventh. She filed the sixth on 30 March 1994 and the seventh on 5 May 1994. They purport to be applications for "review" and "execution" and to challenge "implied rejection". They contest Judgments 1162, 1163, 1294 and 1295. Her submissions cite no circumstance that the Tribunal has not already taken account of in its judgments on the merits (1162 and 1163) and declined to reconsider in its judgments on her earlier applications for review (1294 and 1295).

3. That being so, and having communicated the applications on 24 June 1993 to the defendant for information in accordance with Article 7(1) of its Rules, the Tribunal dismisses them as clearly irreceivable within the meaning of 7(2) and does not order adversarial proceedings.

DECISION:

For the above reasons,

The applications are dismissed.

In witness of this judgment Sir William Douglas, President of the Tribunal, Mr. Edilbert Razafindralambo, Judge, and Mr. Pierre Pescatore, Judge, sign below, as do I, Allan Gardner, Registrar.

Delivered in public in Geneva on 1 February 1995.

(Signed)

William Douglas
E. Razafindralambo
P. Pescatore
A.B. Gardner

Updated by PFR. Approved by CC. Last update: 7 July 2000.