

Organisation internationale du Travail
Tribunal administratif

International Labour Organization
Administrative Tribunal

S. (No. 6)

v.

UNIDO

(Application for review)

120th Session

Judgment No. 3476

THE ADMINISTRATIVE TRIBUNAL,

Considering the application for review of Judgment 3378 filed by Ms Z. S. on 8 August 2014;

Considering Article II, paragraph 5, of the Statute of the Tribunal and Article 7 of its Rules;

Having examined the written submissions;

CONSIDERATIONS

1. In Judgment 3378 delivered on 9 July 2014, the complainant successfully impugned a performance appraisal report for the period 1 March to 31 December 2008 resulting in an order requiring its removal from her official status file. She also sought, amongst other things, compensation for what she described as fraudulent changes to the report, compensation for medical bills and compensation for moral and reputational damage. These claims were dismissed. That was because no fraud was proved; in relation to the claim for medical expenses, the complainant had not exhausted her internal remedies; and in relation to reputational damage, none was established.

2. In a further complaint filed on 8 August 2014 the complainant seeks a review of Judgment 3378. In the complaint form, the complainant identifies under the heading “Relief claimed” four alleged errors in the surrejoinder submitted by the defendant organisation, the United Nations Industrial Development Organization (UNIDO) in the proceedings which led to Judgment 3378. She does not identify any relief sought in the review. Similarly, in her brief, she provides a more detailed account of what she says are errors but does not identify any relief. This is a fundamental deficiency in her application for review and, in any event, the matters she now criticises do not appear to fall within the types of matters upon which a review could be sought, having regard to the Tribunal’s jurisprudence.

Accordingly, the application for review is clearly devoid of merit and must be dismissed summarily in accordance with the procedure set out in Article 7 of the Tribunal’s Rules.

DECISION

For the above reasons,
The application for review is dismissed.

In witness of this judgment, adopted on 21 May 2015, Ms Dolores M. Hansen, Judge presiding the meeting, Mr Michael F. Moore, Judge, and Sir Hugh A. Rawlins, Judge, sign below, as do I, Dražen Petrović, Registrar.

Delivered in public in Geneva on 30 June 2015.

DOLORES M. HANSEN

MICHAEL F. MOORE

HUGH A. RAWLINS

DRAŽEN PETROVIĆ