Case No.: UNDT/NY/2010/098 Judgment No.:UNDT/2011/200 Date: 23 November 2011



Introductio n

1. On 26 September 2011, the United Nati**D**isspute Tribunal rendered a final decision in Case No. UNDT/NY/2010/098, und**e**ir *Giacomo* UNDT/2011/168 ("Judgment"), whereby the Tribunal concluded did not have jurisdiction to consider the Applicant's case and dismissed the a**pplic** without consideration of its merits.

2. On 26 October 2011, the Applicant files application in relation to the Tribunal's Judgment, ostensibly nder art. 12.2 of the Stateut of the Dispute Tribunal. In his application, the Applicant requests mamber of corrections and revisions to paras. 1, 4, 6, 9, 11, 13–15, 20, 23, 25, 28–30, 39 eofJudgment, with regard to, *inter alia*, the scope of his case and the contest test bions, relevant facts and parties' submissions.

3. On 9 November 2011, the Applicant fillean appeal against the Tribunal's Judgment with the United Nations Appeal stotinal in accordance with art. 2.1 of the Statute of the Appeals Tribunal. Thispæla was registered under Case No. 2011-269.

4. The principal issue for considerations whether the Dispute Tribunal has jurisdiction to consider this matter linght of the filing of an appeal.

5. On the particular circumstances of thisea and in view of the fact that this judgment addresses matters of jurisdiction, the Tribunal did not deem it necessary to invite the Respondent's viewon the present application.

Consideration

6. Pursuant to art. 12.1 of the Tribuna Statute, either paytmay apply "for a revision of an executable judgment on the statistic the discovery of a decisive fact which was, at the time the judgment was rendered, unknown to the Dispute Tribunal

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Conclusion

13. The application is dismissed.

(Signed)

Judge Ebrahim-Carstens

Dated this 25 day of November 2011

Entered in the Register on thisrd@ay of November 2011

(Signed)

Hafida Lahiouel, Registrar, New York