

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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2. B> *o%)f)&a%)o* a%e 20 A.g.s% 20157 %,e Ne0 Yor1 Reg)s%r> of %,e D)s8.%e Tr)(. *a+ a&1*o0+e ge re&e)8% of %,e a88+)&a%)o*7 a* as)*s%r.&%e (> %,e D.%> -. ge7 %ra*s ')%e a**e<es 27 @ a* A %o %,e a88+)&a%)o* for %ra*s+a%)o* fro ' S8a*s),)%o E*g+s, . T,e Res8o* e*% 0as re?.es%e %o s.(')% ,)s re8+>)* @0 a>s af%er ,e ,a (ee* *o%)f)e (> %,e Reg)s%r> %,a%

' ,e Nea Yor1 Reg)s%r> *o%)f)& 2,e N+a4(r)3(')-2 ()-2 (f)4(s)-1()-258(%) -2 (,)-10(e)4(%) -2 ()-2 0 0 (%)

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.aras%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)*%> 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

