



1. The United Nations Appeals Tribunal (Appeals Tribunal) has before it an application for revision of Judgment No. 2011-UNAT-154 issued by this Tribunal on 8 July 2011, filed by Mr. Winston Sims on 23 September 2011. The Secretary-General filed his comments on 9 November 2011.

Facts and Procedure

2. Mr. Sims challenged before the United Nations Dispute Tribunal (UNDT or Dispute Tribunal) the restriction placed on his access to the United Nations Office at Vienna (UNOV), where he volunteered as a retiree member of the Vienna Panel of Counsel (Vienna POC).

3. The Dispute Tribunal rejected Mr. Sims' application and found that a retiree who volunteered as counsel did not have a contractual relationship with the United Nations and had thus no right to challenge the

Secretary-General

7. The Secretary-General submits that the Applicant has not identified any legally sustainable ground that would warrant review of the Appeals Tribunal Judgment. The Secretary-General notes that the Appeals Tribunal did not proceed to examine the merits of Mr. Sims' case, after finding the case not receivable.

8. The Secretary-General notes that all the facts adduced by the Applicant were already known to the Appeals Tribunal, and submits that there is no basis to grant Mr. Sims' application for revision of judgment.

Considerations

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13. Article 2(b) of the Statute of the Appeals Tribunal establishes that the Appeals Tribunal shall be competent to hear and pass judgment on an appeal filed against a judgment rendered by the Dispute Tribunal in which it is asserted that the Dispute Tribunal has failed to exercise jurisdiction vested in it. However, in the instant case, the UNDT has not failed to exercise jurisdiction.

Judgment

THE