

## SEVENTY-FIFTH SESSION

### *In re* LOROCH (No. 8)

(Application for review)

#### Judgment 1253

THE ADMINISTRATIVE TRIBUNAL,

Considering the application filed by Mr. Kim Joseph Loroche on 22 September 1992 for review of Judgment 1027, as amended on 27 October 1992;

Considering Article II, paragraph 5, of the Statute of the Tribunal and Article 8, paragraph 3, of the Rules of Court;

Having examined the evidence and disallowed the complainant's application for hearings;

#### CONSIDERATIONS:

1. This is an application for review of Judgment 1027; which ruled on an application for review of Judgment 950; which in turn ruled on an application for review of Judgment 620; which ruled on the complainant's second complaint against the Food and Agriculture Organization of the United Nations (FAO). In Judgment 950 the Tribunal restated the criteria it follows in reviewing its own rulings and held that there were no circumstances warranting review of Judgment 620. It concluded that what the complainant wanted was that it substitute a different medical opinion for that of the medical board that had examined his case and that that did not constitute admissible grounds for review.

Again in Judgment 1027 the Tribunal held that he had offered no admissible reasons for review of Judgment 950 and that what he was asking it to do was what it had already refused in that judgment, namely to replace the medical experts' findings with different ones.

2. In this application the complainant gives a long account of his career with the FAO and of the litigation. Of his application for review of Judgment 620 he says that he has "done everything possible and more to prove that the incompetence and impropriety of the medical board be put to a test"; that it was "incumbent upon the Tribunal to confront the pseudo-experts with genuine stress and heart disease experts in oral hearings"; and that another review "embracing confrontation of experts pro and contra is the only way for things to fall into place and for all to see that justice has been served". He objects to his being "forcibly separated" from the Organization at the age of only fifty-one and denied after-service medical insurance coverage. He submits that the Tribunal's refusal to consider those circumstances to be in "potential breach of the terms of employment" and offer appropriate recommendations "does not make sense".

3. It is quite plain from the foregoing that in effect he is yet again seeking the rehearing of his claims, besides adding a fresh one to after-service medical insurance coverage. He puts forward no admissible grounds whatever for review of Judgment 1027 and his application for review must therefore be rejected in accordance with the summary procedure provided for in Article 8(3) of the Rules of Court.

#### DECISION:

For the above reasons,

The application is dismissed.

In witness of this judgment Mr. José Maria Ruda, President of the Tribunal, Sir William Douglas, Vice-President, and Miss Mella Carroll, Judge, sign below, as do I, Allan Gardner, Registrar.

Delivered in public in Geneva on 14 July 1993.

(Signed)

José Maria Ruda  
William Douglas  
Mella Carroll  
A.B. Gardner

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