

**EIGHTY-FIRST SESSION**

***In re* DIOTALLEVI (No. 4)**

**(Application by the WTO for interpretation)**

**Judgment 1521**

THE ADMINISTRATIVE TRIBUNAL,

Considering the application filed by the World Tourism Organization (WTO) on 12 July 1995 for the interpretation of Judgment 1407;

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

Having examined the written submissions;

**CONSIDERATIONS:**

This complaint is an application by the World Tourism Organization for the interpretation of Judgment 1407 of 1 February 1995. The Tribunal thereby quashed a decision of 28 February 1994 by the Secretary-General of the Organization refusing to restore to the complainant, Miss Marina Diotallevi, the title of "assistant".

On 30 December 1994 the Secretary-General issued a circular, NS/421, about the classification of posts. He wants to know whether "Judgment 1407 prevents the Organization's applying the circular to Miss Diotallevi and to all her colleagues".

Judgment 1407 is quite clear and leaves no room for interpretation about the Tribunal's ruling on the dispute. What the Organization really wants is that the Tribunal say whether the circular is lawful. That being so, its application is clearly irreceivable and must be dismissed under the summary procedure in Article 7 of its Rules.

**DECISION:**

For the above reasons,

The application is dismissed.

In witness of this judgment Sir William Douglas, President of the Tribunal, Mr. Michel Gentot, Vice-President, and Mr. Jean-François Egli, Judge, sign below, as do I, Allan Gardner, Registrar.

Delivered in public in Geneva on 11 July 1996.

(Signed)

William Douglas  
Michel Gentot  
Egli  
A.B. Gardner