

EIGHTY-SIXTH SESSION

In re Masens (No.3)

(Application for execution)

Judgment 1799

The Administrative Tribunal,

Considering the application filed by Miss Liana Yvonne Masens on 12 August 1998 for review of Judgment 1751;

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

Having examined the written submissions;

CONSIDERATIONS

1. The Director-General of the United Nations Industrial Development Organization (UNIDO) put the complainant on special leave; Judgment 1700 of 29 January 1998 dismissed as irreceivable her complaint against that decision; and she has already applied to have that judgment reviewed. Judgment 1751 of 9 July 1998 dismissed that application on the grounds that she had failed to show any mistake of fact warranting review.

2. In support of her present application for review of Judgment 1751 she cites "new facts". They are nothing of the kind. One is the opinion of a lawyer whom she consulted on 28 July 1995; the second is a brief sent to the Tribunal on 15 October 1997 but disallowed; and others are the report of the Joint Appeals Board of UNIDO on her case and the "terror" which she says the Organization put her through between 1983 and 1993. Those are not matters that warrant review of the Tribunal's judgment, which is final.

3. Her second application for review being clearly irreceivable, the Tribunal dismisses it under the summary procedure in Article 7 of its Rules.

DECISION

For the above reasons,

The application is dismissed.

In witness of this judgment, adopted on 18 November 1998, Mr. Michel Gentot, President of the Tribunal, Mr. Julio Barberis, Judge, and Mr. Jean-François Egli, Judge, sign below, as do I, Allan Gardner, Registrar.

Delivered in public in Geneva on 28 January 1999.

(Signed)

Michel Gentot

Julio Barberis

Jean-François Egli

A.B. Gardner