

## NINETIETH SESSION

***In re Lustig de Schönstein (No. 3)***  
**(Application for review)**

**Judgment No. 2043**

The Administrative Tribunal,

Considering the application for review of Judgment 1464 filed by Mrs Sonia Lustig de Schönstein on 2 May 2000;

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 complainant is asking for the review of Judgment 1464 in which the Tribunal dismissed her first complaint filed against the United Nations Industrial Development Organization (UNIDO) regarding her entitlement to compensation for service-incurred illness. She states that she has discovered new facts that are likely to call into question the ruling in that judgment and which emerged too late for her to bring them to the attention of the Tribunal at the appropriate time.

2. None of the facts developed by the complainant at length in her application for review can be considered as a new fact which would have significantly influenced the outcome of her case if it had been known earlier. Moreover, the legal and factual arguments that she puts forward do not constitute pleas of a kind that could affect the final ruling handed down by the Tribunal.

3. Furthermore, if the complainant wishes to put forward new claims, stemming from new pleas, to obtain redress from UNIDO, it is not through an application for review that they should be brought before the Tribunal.

4. Since her application is clearly irreceivable, the Tribunal will dismiss it summarily under the procedure provided for in Article 7 of its Rules.

### DECISION

For the above reasons,

The application is dismissed.

In witness of this judgment, adopted on 15 November 2000, Mr Michel Gentot, President of the Tribunal, Miss Mella Carroll, Vice-President, and Mrs Flerida Ruth P. Romero, Judge, sign below, as do I, Catherine Comtet, Registrar.

Delivered in public in Geneva on 31 January 2001.

*(Signed)*

Michel Gentot

Mella Carroll

Flerida Ruth P. Romero

Catherine Comtet

Updated by PFR. Approved by CC. Last update: 19 February 2001.