

116th Session

Judgment No. 3303

THE ADMINISTRATIVE TRIBUNAL,

Considering the application for review of Judgment 2990 filed by Mrs P.D. J. on 5 July 2011 and corrected on 15 July 2011;

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 applies for a review of Judgment 2990 on the grounds that the Tribunal failed to have regard to a particular fact and omitted to pass judgment on a claim. In particular, she claims that the Tribunal failed to give consideration to the organisation's failure to do a performance assessment for 2007 and failed to pass judgment on her claim in relation to the absence of a 2007 performance appraisal.

2. It is observed that the complaint giving rise to Judgment 2990 did not challenge the organisation's alleged failure to do a 2007 performance appraisal although it is referenced in the rejoinder. Further, even if it could be said that it was challenged, it is and

was clearly irreceivable for failure to exhaust the internal means of redress. Accordingly, any further consideration was unnecessary and not material to the outcome.

3. It follows that the application must be dismissed in accordance with the summary procedure provided for in Article 7 of the Rules of the Tribunal.

DECISION

For the above reasons,

The application for review is summarily dismissed.

In witness of this judgment, adopted on 8 November 2013, Mr Giuseppe Barbagallo, President of the Tribunal, Ms Dolores M. Hansen, Judge, and Sir Hugh A. Rawlins, Judge, sign below, as do I, Catherine Comtet, Registrar.

Delivered in public in Geneva on 5 February 2014.

Giuseppe Barbagallo
Dolores M. Hansen
Hugh A. Rawlins
Catherine Comtet