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THE UNITED NATIONS APPEALS TRIBUNAL

14. Mr. Awe's application for revision of Appeals Tribunal Judgment No. 2016-UNAT-667 is based on his claim to have discovered decisive new facts. To establish this, he relies on the report of a FFP which considered his complaints of abuse of authority and harassment against the COS, UNAMI and the CMS, UNAMI.

15. Notwithstanding that Mr. Awe did not name the CAS, UNAMI, in those complaints, he claims that: "The findings of the investigative panel provide abundant evidence of the illegal role played by [the CAS, UNAMI]; the ambiguity in communication; procedural irregularity; absence of good faith; and failure to consider relevant facts. The outcome of the decision of the tribunal would have been different if this was taken into account." He alleges that additional facts contained in the report of the FFP show the illegality of the CAS, UNAMI, in "hijacking the process" which led to the decision to change his duty station from Baghdad to Kuwait effective 19 November 2012 (Contested Decision).

16. An application for revision of judgment is governed by Article 11(1) of the Appeals Tribunal Statute and Article 24 of the Appeals Tribunal Rules of Procedure. By these provisions, an applicant must show or identify the decisive facts that, at the time of the Appeals Tribunal's judgment, were unknown to both the Appeals Tribunal and the party applying for revision; that such ignorance was not due to the negligence of the applicant; and that the facts identified would have been decisive in reaching the decision.

17. Article 11(1) of the Appeals Tribunal Statute provides:

Subject to article 2 of the present statute, either party may apply to the Appeals Tribunal for a revision of a judgement on the basis of the discovery of a decisive fact which was, at the time the judgement was rendered, unknown to the Appeals Tribunal and to the party applying for revision, always provided that such ignorance was not due to negligence. The application must be made within 30 calendar days of the discovery of the fact and within one year of the date of the judgement.

18. Rules for the implementation of this statutory

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Judgment

25. The application for revision of Judgment No. 2016-UNAT-667 is dismissed.

