



**UNITED NATIONS APPEALS TRIBUNAL
TRIBUNAL D'APPEL DES NATIONS UNIES**

Case No. 2010-031

**Shanks
(Appellant)**
v.
**United Nations Joint Staff Pension Board
(Respondent)**

JUDGMENT
ON APPLICATION FOR INTERPRETATION

Before: Judge Inés Weinberg de Roca, Presiding
Judge Rose Boyko
Judge Luis María Simón

Judgment Number: 2010-UNAT-065

Date: 29 October 2010

Registrar: Weicheng Lin

Counsel for Appellant: Bart Willemsen

Counsel for Respondent: Dulcie Mapondera

JUDGE INÉS WEINBERG DE ROCA, Presiding.

Facts and Procedure

1. On 1 July 2010, this Tribunal issued Judgment No. 2010-UNAT-026bis rejecting Shanks' application for "reconsideration" of its earlier Judgment on merits. This Tribunal noted in that Judgment that Shanks' application fell outside of the permissible grounds for revision, correction or interpretation under Article 11 of the Statute of the Appeals Tribunal. We stated that

[t]he party who loses can not re-litigate his or her case. There must be an end to litigation and the stability of the judicial process requires that final judgments by an appellate court be set aside only on limited grounds and for the gravest of reasons, which is not the case here.

2. On 16 September 2010, Shanks, through the Office of Staff Legal Assistance (OSLA), filed yet another application for "interpretation of the meaning" of Judgment No. 2010-UNAT-026bis. Shanks claims that the Appeals Tribunal in that Judgment "might have erred in its assumption on the prevailing law concerning the internal procedures of the UNJSPF [United Nations Joint Staff Pension Fund]".

3. On 24 September 2010, the UNJSPF as Respondent filed a memorandum, in which it maintained that there was no basis for the Appeals Tribunal to set aside its No. 2010-UNAT-026.

Considerations

4. Shanks has applied to this Tribunal for an interpretation of the meaning of its Judgment No. 2010-UNAT-026bis, but she does not identify which sentences or words in that judgment are unclear or ambiguous. In the view of this Tribunal, the language of Judgment No. 2010-UNAT-026bis is clear in its meaning and requires no interpretation.

Judgment

5. This Tribunal denies Shanks' application for interpretation.

Dated this 29th day of October 2010 in New York, United States.

Original and authoritative version: English

(Signed)

Judge Weinberg de Roca,
Presiding

(Signed)

Judge Boyko

(Signed)

Judge Simón

Entered in the Register on this 29th day of December 2010 in New York, United States.

(Signed)

Weicheng Lin, Registrar