



Before: Judge Eleanor Donaldson-Honeywell

Registry: New York

Registrar: Nerea Suero Fontecha

PRADA

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

ORDER

**ON APPLICATION FOR REVISION
OF JUDGMENT**

Counsel for Applicant:
Self-represented

Counsel for Respondent:
Alan Gutman, ALD/OHR, UN Secretariat

Introduction

1. On 20 February 2020, the Tribunal issued Judgment No. UNDT/2020/027 (“the Judgment”) in which the Applicant’s application was rejected as not receivable on the ground that he filed the application on 5 February 2020, one day after the deadline for the filing of the application before the Dispute Tribunal.

2. On 3 March 2020, the Applicant submitted a new filing stating that he missed the deadline of 4 February 2020 due to a login problem with the e-filing portal. He submits that he reported a login problem to the technical support team of the Office of Administration of Justice on 29 January 2020 and only received assistance on 4 February 2020 at 12:15 p.m., and due to a family emergency on 4-5 February 2020, he was only able to complete the submission on 5 February 2020.

Consideration

3. The Applicant’s submission appears to be in response to the Respondent’s submission of 11 February 2020, in which he raised the receivability issue.

4. The Tribunal notes that the Applicant failed to comply with Order No. 26 (NY/2020) in which the Tribunal directed him to submit observations on the issue of receivability. In any event, given that this submission is filed after the issuance of the Judgment, the Tribunal considers this submission as a request for revision of judgment.

5. Article 12 of the Dispute Tribunal’s Statute provides:

Either party may apply to the Dispute Tribunal for a revision of an executable judgment on the basis of the discovery of a decisive fact which was, at the time of the judgment was rendered, unknown to the Dispute Tribunal and to the party applying for revision, always provided that such ignorance was not due to negligence [...]

6. The Tribunal notes that the Applicant does not set forth any new fact that was unknown to him at the time of the rendering of the Judgment. To the contrary, these

facts set forth in the submission were known to the Applicant from the moment he filed his application. For this reason alone, this motion should be rejected.

7. This notwithstanding, the Tribunal notes that the Applicant received information needed to log in to the e-filing portal on 4 February 2020 at 12:15 p.m. and therefore could have filed his application before the expiration of the deadline. If he needed an extension of the time limit due to a family emergency, as stated in his submission, he should have requested an extension before the expiration of the deadline, which he failed to do.

IT IS ORDERED THAT:

8. In light of the foregoing, the Applicant's motion is dismissed.

(Signed)

Judge Eleanor Donaldson-Honeywell

Dated this 4th day of March 2020