

INTERNATIONAL COURT OF JUSTICE

REPORTS OF JUDGMENTS,  
ADVISORY OPINIONS AND ORDERS

APPLICATION FOR REVIEW  
OF JUDGEMENT No. 273 OF THE UNITED  
NATIONS ADMINISTRATIVE TRIBUNAL  
(REQUEST FOR ADVISORY OPINION)

ORDER OF 6 AUGUST 1981

**1981**

COUR INTERNATIONALE DE JUSTICE

RECUEIL DES ARRÊTS,  
AVIS CONSULTATIFS ET ORDONNANCES

DEMANDE DE RÉFORMATION  
DU JUGEMENT N° 273 DU TRIBUNAL  
ADMINISTRATIF DES NATIONS UNIES  
(REQUÊTE POUR AVIS CONSULTATIF)

ORDONNANCE DU 6 AOÛT 1981

Official citation :

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the United Nations Administrative Tribunal, Order  
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6 August 1981

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## ORDER

The President of the International Court of Justice,

Having regard to Article 66, paragraph 2, of the Statute of the Court,

Whereas, on 13 July 1981, the Committee on Applications for Review of Judgements of the Administrative Tribunal of the United Nations adopted the following decision :

“The Committee on Applications for Review of Administrative Tribunal Judgements has decided that there is a substantial basis within the meaning of Article 11 of the Statute of the Administrative Tribunal for the application presented by the United States of America for review of Administrative Tribunal Judgement No. 273, delivered at Geneva on 15 May 1981. Accordingly, the Committee requests an advisory opinion of the International Court of Justice on the following question :

“Is the judgement of the United Nations Administrative Tribunal in Judgement No. 273, *Mortished v. the Secretary-General*, warranted in determining that General Assembly resolution 34/165 of 17 December 1979 could not be given immediate effect in requiring, for the payment of repatriation grants, evidence of relocation to a country other than the country of the staff member's last duty station? ”

Whereas certified true copies of the English and French texts of the aforesaid decision were transmitted to the Court by a letter from the Secretary-General of the United Nations dated 23 July 1981 and filed in the Registry on 28 July 1981 ;

Whereas the Secretary-General stated in that letter :

“as required by paragraph 2 of Article 11 of the Statute of the Administrative Tribunal, I shall arrange to transmit any views that Mr. Mortished, the person in respect of whom the Tribunal rendered its Judgement No. 273, may wish to submit”,

Fixes 30 October 1981 as the time-limit within which written statements may be submitted in accordance with Article 66, paragraph 2, of the Statute of the Court ;

Reserves the subsequent procedure for further decision.

Done in English and in French, the English text being authoritative, at the Peace Palace, The Hague, this sixth day of August, one thousand nine hundred and eighty-one.

*(Signed)* Humphrey WALDOCK,  
President.

*(Signed)* PILLEPICH,  
Deputy-Registrar.