

INTERNATIONAL COURT OF JUSTICE

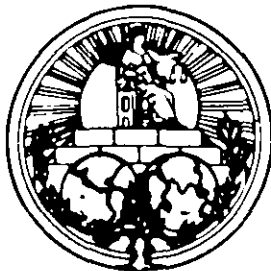
PLEADINGS, ORAL ARGUMENTS, DOCUMENTS

APPLICATION FOR REVIEW
OF JUDGEMENT No. 273 OF THE UNITED
NATIONS ADMINISTRATIVE TRIBUNAL

COUR INTERNATIONALE DE JUSTICE

MÉMOIRES, PLAIDOIRIES ET DOCUMENTS

DEMANDE DE RÉFORMATION
DU JUGEMENT N° 273 DU TRIBUNAL
ADMINISTRATIF DES NATIONS UNIES



Abbreviated reference:

*I.C.J. Pleadings, Application for Review of Judgement No. 273 of
the United Nations Administrative Tribunal*

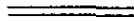
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du Tribunal administratif des Nations Unies*

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**APPLICATION FOR REVIEW OF JUDGEMENT No. 273
OF THE UNITED NATIONS ADMINISTRATIVE TRIBUNAL**



**DEMANDE DE RÉFORMATION DU JUGEMENT N° 273
DU TRIBUNAL ADMINISTRATIF DES NATIONS UNIES**

INTERNATIONAL COURT OF JUSTICE

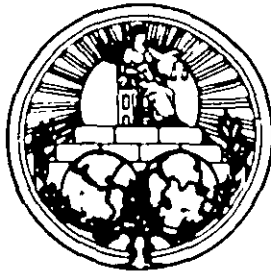
PLEADINGS, ORAL ARGUMENTS, DOCUMENTS

APPLICATION FOR REVIEW
OF JUDGEMENT No. 273 OF THE UNITED
NATIONS ADMINISTRATIVE TRIBUNAL

COUR INTERNATIONALE DE JUSTICE

MÉMOIRES, PLAIDOIRIES ET DOCUMENTS

DEMANDE DE RÉFORMATION
DU JUGEMENT N° 273 DU TRIBUNAL
ADMINISTRATIF DES NATIONS UNIES



The present volume reproduces the Request for opinion, the written statements and comments, and the correspondence in the case concerning the *Application for Review of Judgement No. 273 of the United Nations Administrative Tribunal*. This case, entered on the Court's General List on 28 July 1981 under number 66, was the subject of an Advisory Opinion delivered on 20 July 1982 (*Application for Review of Judgement No. 273 of the United Nations Administrative Tribunal, Advisory Opinion, I.C.J. Reports 1982, p. 325*).

The Hague, 1982.

Le présent volume reproduit la requête pour avis consultatif, les exposés écrits et observations écrites et la correspondance concernant l'affaire de la *Demande de réformation du jugement n° 273 du Tribunal administratif des Nations Unies*. Cette affaire, inscrite au rôle général de la Cour sous le numéro 66 le 28 juillet 1982, a fait l'objet d'un avis consultatif rendu le 20 juillet 1982 (*Demande de réformation du jugement n° 273 du Tribunal administratif des Nations Unies, avis consultatif, C.I.J. Recueil 1982, p. 325*).

La Haye, 1982.

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REQUEST FOR ADVISORY OPINION
REQUÊTE POUR AVIS CONSULTATIF

**THE SECRETARY-GENERAL OF THE UNITED NATIONS
TO THE PRESIDENT OF THE INTERNATIONAL
COURT OF JUSTICE**

23 July 1981.

I have the honour to refer to Article 11 of the Statute of the United Nations Administrative Tribunal whereby a Committee on Applications for Review of Administrative Tribunal Judgements was established and was authorized, under paragraph 2 of Article 96 of the Charter, to request advisory opinions of the International Court of Justice.

The twentieth session of the Committee on Applications for Review of Administrative Tribunal Judgements was held at United Nations Headquarters from 9 to 13 July 1981 to consider an application presented to the Committee by the United States of America for a review of Judgement No. 273, delivered by the United Nations Administrative Tribunal on 15 May 1981, in the case of *Mortished v. the Secretary-General of the United Nations* (document AT/DEC/273). At its second meeting of the session, on 13 July 1981, the Committee decided to request an advisory opinion of the International Court of Justice regarding that Judgement. This decision is recorded in the report of the Committee on the work of its twentieth session (document A/AC.86/25).

The decision of the Committee as formally announced by its Chairman reads as follows:

"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?"

I am enclosing herewith one copy each of the English and French text of the report of the Committee in which that decision has been duly certified. Pursuant to a decision of the Committee, a transcript of the proceedings at its twentieth session is being prepared in English and French and copies thereof will be transmitted to the Court as soon as possible.

In accordance with Article 65 of the Statute of the Court, I shall transmit to the Court all documents likely to throw light upon the question. Furthermore, 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.

(Signed) Kurt WALDHEIM.