

Summary of Kobli (No. 2) v. IBRD (Preliminary Objection), Decision No. 608 [2019]

The Applicant challenged the Tribunal's dismissal of his prior application, in *Kobli*, Decision No. 588 [2018], for: failure to meet the jurisdictional requirements of Article II of the Tribunal's Statute; failure to relate his claims to his rights as a staff member; and failure to meet the Tribunal's 120-day filing deadline. The Applicant asserted that he had produced new facts which would have justified the revision of Decision No. 588. He also asserted that the uniqueness of his case would also have justified revision of Decision No. 588.

The Bank raised a preliminary objection to the admissibility of the Application. In the preliminary objection, the Bank took the position that the Applicant's claims had all been addressed in Decision No. 588 and that there were no new facts to justify the revision of the Applicant's claims.

The Tribunal examined Articles XI and XIII of the Tribunal's Statute, as well as the Applicant's assertions that he had provided new evidence. The Tribunal found that the Applicant had raised the same allegations that he had raised in his previous case, and that he had presented no new facts. Moreover, the Tribunal found that the Applicant could not meet any of the requirements of Article XIII of the Tribunal's Statute, to justify the revision of a prior decision.

Having found that there was no basis to revise Decision No. 588, as the Applicant could not meet the burden imposed by Article XIII, the Tribunal found that the Applicant's remaining claim did not comport with the Tribunal's Statute.

Decision: The Application was dismissed.