



IN THE MATTER OF:

Y.J., Applicant

v.

Chairperson of the African Union Commission, Respondent

FOR APPLICANTS: *Pro se*

FOR RESPONDENT: Namira NEGM, Legal Counsel, African Union Commission

BEFORE: S. MAINGA, President, J. SEDQI, and P. COMOANE

HEARD ON : 27 July 2021

ORDER

1. On 17 November 2019, Applicant, former Deputy Clerk (for Finance, Administration and Human Resources) of the Pan African Parliament (PAP), filed an application contesting the decision to dismiss him for misconduct.
2. In a *per curiam* decision issued on 13 October 2020, the Tribunal upheld the decision to dismiss him from PAP on account of multiple counts of misconduct.¹
3. By a filing dated 12 April 2021, Applicant seeks review of Judgment No. AUAT/2020/021. On 29 May 2021, Respondent's Counsel opposed the request for review of judgment.
4. Judgments of the Tribunal are final.² A party may seek review of judgment when he or she has discovered new and decisive facts previously unknown to the party or the Tribunal.³ Such application must state the new facts to be proved and must be supported by compelling new evidence.
5. The Tribunal has carefully considered the request and the underlying record. Applicant's arguments as presented in his art. 20 request were adequately addressed during the hearing of the case. Specifically, the Tribunal has fully considered and rejected Applicant's claim that the disciplinary process against him was initiated entirely out of improper motivations. Applicant's alleged new evidence that he seeks to present to the Tribunal pertains solely to the same issue of whether the President of PAP improperly targeted him.

¹ *Y.J. v. Chairperson*, AUAT/2020/021.

² AUAT Statute art. 17(vi).

³ AUAT Statute art. 20.

6. Article 20 is not a mechanism by which parties present stale evidence or re-litigate issues already considered and adjudged by the Tribunal. Therefore, the Tribunal finds no reason to disturb Judgment No. AUAT/2020/021 and Applicant's art. 20 request for review of judgment is REFUSED.

Date: 18 August 2021

/signed/

SYLVESTER MAINGA, PRESIDENT
JAMILA B. SEDQI
PAULO D. COMOANE

Secretary: 