Order No. 1999-1, Interpretation of Judgment No. 1998-1 (February 26, 1999)

1.   The Administrative Tribunal of the International Monetary Fund has
received a request by the Fund for an interpretation of language found in paragraph 43 of
Judgment No. 1998-1, (Ms. "Y", Applicant v. International Monetary Fund, Respondent,
December 18, 1998). The Tribunal understands this request as a request for interpretation of
paragraph "Second" of the operative provisions of the Judgment, which provides as follows:

> "Second, the Administrative Tribunal will reconsider the Applicant's claim
> on the basis of the Application now before it, in the event that the Grievance
> Committee, if seized, decides that it does not have jurisdiction over that
> claim."

2.   The Fund requests the Tribunal to interpret the term "jurisdiction" appearing in that
paragraph to refer only to jurisdiction *ratione materiae.*

3.   Having regard to Article XVII[1] of the Statute of the Administrative Tribunal and
Rule XX[2] of the Rules of Procedure which confer upon it the limited authority to interpret
judgments whose terms appear obscure or incomplete, and having considered the views of
the Fund and the Applicant concerning the Fund's request, the Administrative Tribunal
unanimously adopts the following decision:

> First: The Tribunal decides on the basis of Article XVII and Rule XX, not to admit
> the Fund's application, on the ground that the term "jurisdiction" in paragraph
> "Second" of Judgment No. 1998-1 is neither obscure nor incomplete;
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> Second: The adoption of the requested interpretation would constitute an amendment
> of the Judgment, which is not a matter in respect of which the applicable provisions

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[1] "The Tribunal may interpret or correct any judgment whose terms appear obscure or incomplete, or which
contains a typographical or arithmetical error."

[2] "Interpretation of Judgments
    1. In accordance with Article XVII of the Statute, after a judgment has been rendered, any party may apply
to the Tribunal requesting an interpretation of the operative provisions of the judgment.

    2. The application shall be admissible only if it states with sufficient particularity in what respect the
operative provisions of the judgment appear obscure or incomplete.

    3. The Tribunal shall, after giving the other party or parties a reasonable opportunity to present its or their
views on the matter, decide whether to admit the application for interpretation. If the application is admitted, the
Tribunal shall issue its interpretation, which shall thereupon become part of the original judgment."

of the Statute and the Rules of Procedure enable the Tribunal to decide by way of an interpretation, because the Judgment is final and without appeal.[3]

Stephen M. Schwebel, President

Nisuke Ando, Associate Judge

Michel Gentot, Associate Judge

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Stephen M. Schwebel, President

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Philine R. Lachman, Registrar

Washington, D.C.
February 26, 1999

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[3] Article XIII, Section 2: "Judgments shall be final, subject to Article XVI and Article XVII, and without appeal."