

UNITED NATIONS  
GENERAL  
ASSEMBLY



RESTRICTED

A/CN.5/R.2  
18 December 1950

ORIGINAL: ENGLISH

ADMINISTRATIVE TRIBUNAL

Statement of Policy

The following statement of policy was unanimously approved by the members of the Administrative Tribunal at its second plenary meeting, held on 14 December 1950:

1. The establishment of the Administrative Tribunal has given to the staff members of the Secretariat of the United Nations, and some other categories of persons, the possibility to present certain claims to a special jurisdiction.
2. The nature of the organ created by the General Assembly infers the existence of powers necessary for the attainment of the General Assembly's objectives.
3. The powers necessary to the attainment of these objectives include:
  - (a) The ordering of the rescission of administrative decisions on cases within the competence of the Tribunal;
  - (b) The awarding of compensation in cases in which the rescission of such decisions is impossible;
  - (c) The preservation of the equitable rights of interested parties arising out of the proceedings of the Tribunal. Among these latter equitable rights may be compensation for necessary, reasonable and unavoidable costs of litigation.
4. In view of the simplicity of the proceedings of the Administrative Tribunal, as laid down in its rules, the Tribunal will not, as a general rule, consider the question of granting costs to applicants whose claims have been sustained by the Tribunal.
5. In exceptional cases, the Tribunal may, however, grant a compensation for such costs if they are demonstrated to have been unavoidable, if they are reasonable in amount, and if they exceed the normal expenses of litigation before the Tribunal.

/6. In particular,  
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6. In particular, it will not be the policy of the Tribunal to award costs covering fees of legal counsel with respect to cases which do not involve special difficulties.

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