

To: Members of the Staff

Attached are copies of the Staff Regulations of the United Nations and the Statute of the Administrative Tribunal as amended by resolutions 781 (VIII) and 782 (VIII) of the General Assembly on 9 December 1953.

Staff members should substitute these copies for those which were issued to them in December 1952 (or on appointment if this was later) together with the Staff Rules, ST/AFS/SGB/94, under the authority of ST/AFS/SGB/95, dated 10 December 1952, "Administrative Manual, Volume 2 - Personnel."

STAFF REGULATIONS OF THE UNITED NATIONS

**as adopted by the General Assembly by Resolution 590 (V)
of 2 February 1952, and amended by Resolution 781 A (VIII)
and Resolution 782 (VIII)**

SCOPE AND PURPOSE

The Staff Regulations embody the fundamental conditions of service and the basic rights, duties and obligations of the United Nations Secretariat. They represent the broad principles of personnel policy for the staffing and administration of the Secretariat. The Secretary-General, as the Chief Administrative Officer, shall provide and enforce such staff Rules consistent with these principles as he considers necessary.

ARTICLE I

Duties, Obligations and Privileges

Regulation 1.1: Members of the Secretariat are international civil servants. Their responsibilities are not national but exclusively international. By accepting appointment, they pledge themselves to discharge their functions and to regulate their conduct with the interests of the United Nations only in view.

Regulation 1.2: Staff members are subject to the authority of the Secretary-General and to assignment by him to any of the activities or offices of the United Nations. They are responsible to him in the exercise of their functions. The whole time of staff members shall be at the disposal of the Secretary-General. The Secretary-General shall establish a normal working week.

Regulation 1.3: In the performance of their duties members of the Secretariat shall neither seek nor accept instructions from any government or from any other authority external to the Organisation.

Regulation 1.4: Members of the Secretariat shall conduct themselves at all times in a manner befitting their status as international civil servants. They shall not engage in any activity that is incompatible with the proper discharge of their duties with the United Nations. They shall avoid any action and in particular any kind of public pronouncement which may adversely reflect on their status, or on the integrity, independence and impartiality which are required by that status. While they are not expected to give up their national sentiments or their political and religious convictions, they shall at all times bear in mind the reserve and tact incumbent upon them by reason of their international status.

Regulation 1.5: Staff members shall exercise the utmost discretion in regard to all matters of official business. They shall not communicate to any person any information known to them by reason of their official position which has not been made public, except in the course of their duties or by authorization of the Secretary-General. Nor shall they at any time use such information to private advantage. These obligations do not cease upon separation from the Secretariat.

Regulation 1.6: No member of the Secretariat shall accept any honour, decoration, favour, gift or fee from any government or from any other source external to the Organisation during the period of his appointment, except for war service.

Regulation 1.7: Staff members may exercise the right to vote but shall not engage in any political activity which is inconsistent with or might reflect upon the independence and impartiality required by their status as international civil servants.

Regulation 1.8: The immunities and privileges attached to the United Nations by virtue of Article 105 of the Charter are conferred in the interests of the Organisation. These privileges and immunities furnish no excuse to the staff members who enjoy them for non-performance of their private obligations or failure to observe laws and police regulations. In any case where these privileges and immunities arise, the staff member shall immediately report to the Secretary-General, with whom alone it rests to decide whether they shall be waived.

Regulation 1.9: Members of the Secretariat shall subscribe to the following oath or declaration:

"I solemnly swear (undertake, affirm, promise) to exercise in all loyalty, discretion and conscience the functions entrusted to me as an international civil servant of the United Nations, to discharge these functions and regulate my conduct with the interests of the United Nations only in view, and not to seek or accept instructions in regard to the performance of my duties from any government or other authority external to the Organisation".

Regulation 1.10: The oath or declaration shall be made orally by the Secretary-General and Assistant Secretaries-General at a public meeting of the General Assembly and by all other members of the Secretariat before the Secretary-General or his authorised deputy.

ARTICLE II

Classification of Posts and Staff

Regulation 2.1: In conformity with principles laid down by the General Assembly, the Secretary-General shall make appropriate provision for the classification of posts and staff according to the nature of the duties and responsibilities required.

ARTICLE III

Salaries and Related Allowances

Regulation 3.1: Salaries of staff members shall be fixed by the Secretary-General in accordance with the provisions of Annex I to the present regulations.

Regulation 3.2: The Secretary-General shall establish a scheme for the payment of children's allowances and education grants under the conditions specified in Annex IV to the present regulations.

ARTICLE IV

Appointment and Promotion

Regulation 4.1: As stated in Article 101 of the Charter, the power of appointment of staff members rests with the Secretary-General. Upon appointment each staff member shall receive a letter of appointment in accordance with the provisions of Annex II to the present regulations and signed by the Secretary-General or by an official in the name of the Secretary-General.

Regulation 4.2: The paramount consideration in the appointment, transfer or promotion of the staff shall be the necessity for securing the highest standards of efficiency, competence and integrity. Due regard shall be paid to the importance of recruiting the staff on as wide a geographical basis as possible.

Regulation 4.3: In accordance with the principles of the Charter, selection of staff members shall be made without distinction as to race, sex or religion. So far as practicable, selection shall be made on a competitive basis.

Regulation 4.4: Subject to the provisions of Article 101, Paragraph 3, of the Charter, and without prejudice to the recruitment of fresh talent at all levels, the fullest regard shall be had, in filling vacancies, to the requisite qualifications and experience of persons already in the service of the United Nations. This consideration shall also apply on a reciprocal basis, to the specialised agencies brought into relationship with the United Nations.

Regulation 4.5: (a) Appointments of Assistant Secretaries-General, Principal Directors and officials of comparable status shall normally be for a period of five years, subject to prolongation or renewal. Other staff members shall be granted either permanent or temporary appointments under such terms and conditions consistent with these regulations as the Secretary-General may prescribe.

(b) The Secretary-General shall prescribe which staff members are eligible for permanent appointments. The probationary period for granting or confirming a permanent appointment shall normally not exceed two years, provided that in individual cases the Secretary-General may extend the probationary period for not more than one additional year.

Regulation 4.6: The Secretary-General shall establish appropriate medical standards which staff members shall be required to meet before appointment.

ARTICLE V

Annual and Special Leave

Regulation 5.1: Staff members shall be allowed appropriate annual leave.

Regulation 5.2: Special leave may be authorised by the Secretary-General in exceptional cases.

Home Leave

Regulation 5.3: Eligible staff members shall be granted home leave once in every two years. A staff member whose home country is the country of his official duty station or who continues to reside in his home country while performing his official duties shall not be eligible for home leave.

ARTICLE VI

Social Security

Regulation 6.1: Provision shall be made for the participation of staff members in the United Nations Joint Staff Pension Fund in accordance with the regulations of that Fund.

Regulation 6.2: The Secretary-General shall establish a scheme of social security for the staff, including provisions for health protection, sick leave and maternity leave, and reasonable compensation in the event of illness, accident or death attributable to the performance of official duties on behalf of the United Nations.

ARTICLE VII

Travel and Removal Expenses

Regulation 7.1: Subject to conditions and definitions prescribed by the Secretary-General, the United Nations shall in appropriate cases pay the travel expenses of staff members and their dependents.

Removal Expenses

Regulation 7.2: Subject to conditions and definitions prescribed by the Secretary-General, the United Nations shall pay removal costs for staff members.

ARTICLE VIII

Staff Relations

Regulation 8.1: (a) A Staff Council, elected by the staff, shall be established for the purpose of ensuring continuous contact between the staff and the Secretary-General. The Council shall be entitled to make proposals to the Secretary-General for improvements in the situation of staff members, both as regards their conditions of work and their general conditions of life.

(b) The Staff Council shall be composed in such a way as to afford equitable representation to all levels of the staff.

(c) Election of the Staff Council shall take place annually under regulations drawn up by the Staff Council and agreed to by the Secretary-General.

Regulation 8.2: The Secretary-General shall establish joint administrative machinery with staff participation to advise him regarding personnel policies and general questions of staff welfare and to make to him such proposals as it may desire for amendment of the Staff Regulations and Rules.

ARTICLE IX

Separation from Service

Termination

Regulation 9.1 (a): The Secretary-General may terminate the appointment of a staff member who holds a permanent appointment and whose probationary period has been completed, if the necessities of the service require abolition of the post or reduction of the staff, if the services of the individual concerned prove unsatisfactory, or if he is, for reasons of health, incapacitated for further service.

The Secretary-General may also, giving his reasons therefor, terminate the appointment of a staff member who holds a permanent appointment:

- (i) If the conduct of the staff member indicates that the staff member does not meet the highest standards of integrity required by Article 101, paragraph 3, of the Charter;
- (ii) If facts anterior to the appointment of the staff member and relevant to his suitability come to light which, if they had been known at the time of his appointment, should, under the standards established in the Charter, have precluded his appointment.

No termination under sub-paragraphs (i) and (ii) shall take place until the matter has been considered and reported on by a special advisory board appointed for that purpose by the Secretary-General.

Finally, the Secretary-General may terminate the appointment of a staff member who holds a permanent appointment if such action would be in the interest of the good administration of the Organisation and in accordance with the standards of the Charter, provided that the action is not contested by the staff member concerned.

Regulation 9.1 (b): The Secretary-General may terminate the appointment of a staff member with a fixed-term appointment prior to the expiration date for any of the reasons specified in paragraph (a) above, or for such other reason as may be specified in the letter of appointment.

Regulation 9.1 (c): In the case of all other staff members, including staff members serving a probationary period for a permanent appointment, the Secretary-General may at any time terminate the appointment, if, in his opinion, such action would be in the interest of the United Nations.

Resignations

Regulation 9.2: Staff members may resign from the Secretariat upon giving the Secretary-General the notice required under the terms of their appointment.

Notice of Termination

Regulation 9.3: (a) If the Secretary-General terminates an appointment the staff member shall be given such notice and such indemnity payment as may be applicable under the Staff Regulations and Staff Rules. Payments of termination indemnity shall be made by the Secretary-General in accordance with the rates and conditions specified in Annex III to the present regulations.

(b) The Secretary-General may, where the circumstances warrant and he considers it justified, pay to a staff member terminated under the final paragraph of staff regulation 9.1 (a) a termination indemnity payment not more than 50 per cent higher than that which would otherwise be payable under the Staff Regulations.

Repatriation Grant

Regulation 9.4: The Secretary-General shall establish a scheme for the payment of repatriation grants within the maximum rates and under the conditions specified in Annex IV to the present regulations.

Retirement

Regulation 9.5: Staff members shall not be retained in active service beyond the age of sixty years. The Secretary-General may, in the interest of the Organisation, extend this age limit in exceptional cases.

ARTICLE X

Disciplinary Measures

Regulation 10.1: The Secretary-General may establish administrative machinery with staff participation which will be available to advise him in disciplinary cases.

Regulation 10.2: The Secretary-General may impose disciplinary measures on staff members whose conduct is unsatisfactory.

He may summarily dismiss a member of the staff for serious misconduct.

ARTICLE XI

Appeals

Regulation 11.1: The Secretary-General shall establish administrative machinery with staff participation to advise him in case of any appeal by staff members against an administrative decision alleging the non-observance of their terms of appointment, including all pertinent regulations and rules, or against disciplinary action.

Regulation 11.2: The United Nations Administrative Tribunal shall, under conditions prescribed in its statute, hear and pass judgment upon applications from staff members alleging non-observance of their terms of appointment, including all pertinent regulations and rules.

ARTICLE XII

General Provisions

Regulation 12.1: These regulations may be supplemented or amended by the General Assembly, without prejudice to the acquired rights of staff members.

Regulation 12.2: The Secretary-General shall report annually to the General Assembly such Staff Rules and amendments thereto as he may make to implement these regulations.

Salary and Allowances - Assistant Secretaries-General

Annex I, Paragraph 1.

An Assistant Secretary-General shall receive a salary of \$US 23,000 (subject to the Staff Assessment Plan at the rates laid down in General Assembly Resolution 239 (III) of 18 November 1948 and to such changes as may be directed from time to time by the General Assembly) together with an allowance varying from \$US 7,000 to \$US 10,000 at the Secretary-General's discretion. The allowances for Assistant Secretaries-General are deemed to include all representation (including hospitality) and special allowances, such as housing, education and children's allowances, but not such reimbursable allowances as travel, subsistence and removal costs upon appointment, transfer or termination of appointment with the Organisation, official travel and home leave travel.

Salaries and Representation Allowance - Principal Directors

Annex I, Paragraph 2.

A Principal Director shall receive a salary of \$US 17,000 rising after two years of satisfactory service to \$US 18,000, (subject to the Staff Assessment Plan at the rates laid down in General Assembly Resolution 239 (III) and to such changes as may be directed from time to time by the General Assembly, and to salary differentials wherever applied) and if

otherwise eligible shall receive the allowances which are available to staff members generally. In addition, he shall receive a representation allowance varying from \$US 1,000 to \$US 3,500, at the Secretary-General's discretion, provided that the incumbent of the post of Executive Assistant to the Secretary-General at the time the present Annex is adopted may receive a representation allowance up to and not exceeding \$US 5,500.

Salaries and Representation Allowance - Directors

Annex I, Paragraph 3.

A Director shall receive a salary of \$US 15,000 rising in two-yearly increments of \$US 800 each to \$US 17,400 (subject to the Staff Assessment Plan at the rates laid down in General Assembly Resolution 239 (III) and to such changes as may be directed from time to time by the General Assembly, and to salary differentials wherever applied) and if otherwise eligible shall receive the allowances which are available to staff members generally. In addition, the Secretary-General is authorised at his discretion to grant in special cases a representation allowance up to an amount of \$US 1,500.

Salary Scales - Director and Principal Officer and Professional Categories

Annex I, Paragraph 4.

Except as provided in paragraph 6 of the present Annex, the salary scales for staff members in the Principal Officer and Director Category and in the Professional Category shall be as follows (subject to the Staff Assessment Plan at the rates laid down in General Assembly Resolution 239 (III) and to such changes as may be directed from time to time by the General Assembly, and to salary differentials wherever applied):

SALARY SCALES

(Subject to the staff assessment plan at the rates laid down in General Assembly resolution 239 (III), to such changes as may be directed from time to time by the General Assembly and to salary differentials when applied)

<u>Step I</u>	<u>Step II</u>	<u>Step III</u>	<u>Step IV</u>	<u>Step V</u>	<u>Step VI</u>	<u>Step VII</u>	<u>Step VIII</u>	<u>Step IX</u>	<u>Step X</u>
<u>\$ US</u>	<u>\$ US</u>	<u>\$ US</u>	<u>\$ US</u>	<u>\$ US</u>	<u>\$ US</u>	<u>\$ US</u>	<u>\$ US</u>	<u>\$ US</u>	<u>\$ US</u>

Principal Officer and Director Category

Principal Director	17,000	18,000							
Director	15,000	15,800	16,600	17,400					
Principal Officer	13,330	14,000	14,670	15,400	16,200	17,000			

Professional Category

Senior Officer	11,310	11,690	12,080	12,500	13,000	13,500	14,000	14,500	15,000	
First Officer	9,140	9,460	9,790	10,150	10,540	10,920	11,310	11,690	12,080	12,500
Second Officer	7,330	7,600	7,870	8,180	8,500	8,820	9,140	9,460	9,790	10,150
Associate Officer	5,750	6,000	6,270	6,530	6,800	7,070	7,330	7,600	7,870	
Assistant Officer	4,250	4,500	4,750	5,000	5,250	5,500	5,750	6,000		

Annex I, Paragraph 5.

Salary increments within the levels set forth in paragraph 4 of the present Annex shall be awarded annually on the basis of satisfactory service, provided that the period of satisfactory service required for increments to any salary step above \$US 15,000 shall be two years.

Annex I, Paragraph 6.

The Secretary-General shall determine the salary rates to be paid to personnel specifically engaged for conferences and other short-term service, to consultants, to Field Service personnel, and to Technical Assistance experts and social welfare advisers.

Salary Scales - General Service Personnel and Manual Workers

Annex I, Paragraph 7.

The Secretary-General shall fix the salary scales for staff members in the General Service category and the salary or wage rates for manual workers, normally on the basis of the best prevailing conditions of employment in the locality of the United Nations office concerned, provided that the Secretary-General may, where he deems it appropriate, establish rules and salary limits for payment of a non-resident's allowance to General Service staff members recruited from outside the local area.

Language Allowance

Annex I, Paragraph 8.

The Secretary-General shall establish rules under which an extra payment may be paid to staff members in the General Service Category who pass an appropriate test and demonstrate continued proficiency in the use of two or more official languages, such payment to be equivalent to an additional step increment which would continue beyond the maximum of the salary level of the staff member concerned.

Salary Differentials

Annex I, Paragraph 9.

The Secretary-General may adjust the basic salary rates provided in paragraphs 1, 2, 3 and 4 for duty stations away from Headquarters, by the application of salary differentials which take into account relative costs of living, standards of living and related factors; provided that initial differentials shall be not less than 5 per cent with minimum adjustments in multiples of 5 per cent, and provided further that these differentials shall be applied only to 75 per cent of base salaries.

ANNEX II

Letters of Appointment

- (a) The letter of appointment shall state:
- (i) that the appointment is subject to the provisions of the Staff Regulations and of the Staff Rules applicable to the category of appointment in question, and to changes which may be duly made in such regulations and rules from time to time;

- (ii) the nature of the appointment;
 - (iii) the date at which the staff member is required to enter upon his duties;
 - (iv) the period of appointment, the notice required to terminate it and period of probation, if any;
 - (v) the category, level, commencing rate of salary, and if increments are allowable, the scale of increments, and the maximum attainable;
 - (vi) any special conditions which may be applicable.
- (b) A copy of the Staff Regulations and of the Staff Rules shall be transmitted to the staff member with the letter of appointment. In accepting appointment the staff member shall state that he has been made acquainted with and accepts the conditions laid down in the Staff Regulations and in the Staff Rules.

Termination Indemnity

Annex III: Staff members whose appointments are terminated shall be paid an indemnity in accordance with the following provisions:

(a) Except as provided in (d) and (e) below, the following schedule shall apply to members holding permanent appointments or temporary appointments which are not for a fixed term:

Completed Years of Service in the Secretariat	Confirmed Permanent Appointments	<u>Months of Base Salary or Wage</u> Temporary Appointments which are not for a Fixed Term and Unconfirmed (Probationary) Per- manent Appointments
0	Not applicable	nil
1	Not applicable	1
2	3	1
3	3	2
4	4	3
5	5	4
6	6	5
7	7	6
8	8	7
9 or more	9	8

(b) Except as provided in (d) and (e) below, staff members who have temporary appointments for a fixed term of over six months which are terminated prior to the expiration date specified in the letter of appointment shall be paid five days' indemnity pay for each month of uncompleted service, but not less than thirty working days' indemnity pay.

(c) Indemnity pay shall be calculated on the basis of the staff member's base salary or wages at the time of termination.

(d) No indemnity payments shall be made to:

- A staff member who resigns, except where termination notice has been given and the termination date agreed upon;

- A staff member who has a temporary appointment which is not for a fixed term and which is terminated during the first year of service;

- A staff member who has a temporary appointment for a fixed term which is completed on the expiration date specified in the letter of appointment;

- A staff member who is summarily dismissed;

- A staff member who abandons his post;

- A staff member who is retired under the United Nations Joint Staff Pension Fund Regulations.

(e) Staff members specifically engaged for conference and other short-term service or for service with a mission, as consultants, or as experts, and staff members who are locally recruited for service in established offices away from Headquarters may be paid termination indemnity if and as provided in their letters of appointment.

Children's Allowances

Annex IV, Paragraph 1.

Full-time members of the staff, with the exception of those specifically excluded by resolution of the General Assembly, shall be entitled to a children's allowance of (US) \$200 per annum in respect of each child under the age of eighteen years, or, if the child is in full-time attendance at a school or a university (or similar educational institution), or is totally disabled, under the age of twenty-one years; provided that, if both parents are members of the staff of the United Nations, only one allowance will be paid in respect of each of their children; and provided further that, where the Secretary-General deems it advisable, no allowance or an allowance of an amount other than (US) \$200 may be paid under special circumstances, as for example, short-term assignments or assignments at duty stations where the levels of United Nations salary scales are fixed at levels varying from the Headquarters scale.

Education Grant

Annex IV, Paragraph 2.

Each full-time member of the staff, with the exception of those specifically excluded by resolution of the General Assembly, entitled to receive a children's allowance under paragraph 1 above, who is employed by the United Nations in a country other than his own country, as specified in his letter of appointment, shall be entitled to the following education grant:

(a) The sum of (US) \$200 per annum for each child, in respect of whom a children's allowance is payable, in full-time attendance at a school or a university in his home country; provided that where a child attended such an educational institution for a period of less than two-thirds of any one scholastic year, the allowance shall be reduced to such proportion of (US) \$200 as the period so attended bears to a full scholastic year;

(b) Once in each scholastic year the travelling expenses of the outward and return journey of such a child by a route approved by the Secretary-General;

(c) Should staff members elect to send their children to special national schools in the area where they are serving, including international schools organised for children of United Nations staff members, rather than to schools in their home countries, the United Nations will pay for each child otherwise eligible for the education grant, a grant equal to the difference between the cost of education at the special school which he attends and the cost at a comparable school attended by children of persons normally

resident in the area, provided that the grant shall not exceed \$200 per year. This grant shall be payable only when there is a valid reason for the child not to attend school in the home country; for instance, in the case of children under thirteen years of age or when the health of the child is such that return to the home country is not feasible;

(d) If both parents are members of the staff of United Nations only one grant will be paid in respect of each of their children.

Annex IV, Paragraph 3.

The Secretary-General may decide in each case whether allowances or grants under paragraphs 1 and 2 above shall extend to adopted children or step-children.

Annex IV, Paragraph 4.

In principle, the repatriation grant shall be payable to staff members whom the Organisation is obligated to repatriate, except those terminated by summary dismissal. Detailed conditions and definitions relating to eligibility shall be determined by the Secretary-General. The amount of the grant shall vary with the length of service with the United Nations (exclusive of periods when an expatriation allowance was received).

The maximum rates payable shall be as follows:

Year of Continuous Service away from Home Country	Staff Member with neither a Wife, Dependent Husband or Dependent Child at time of Termination (Weeks of Salary)	Staff Member with a Wife, Dependent Husband or Dependent Child at Time of Termination (Weeks of Salary)
After 2 years	4	8
" 3 "	5	10
" 4 "	6	12
" 5 "	7	14
" 6 "	8	16
" 7 "	9	18
" 8 "	10	20
" 9 "	11	22
" 10 "	12	24
" 11 "	13	26
" 12 "	14	28

The maximum grant payable under this plan shall be \$ US 2, 500 net for a staff member without dependents and \$ US 5,000 net for a staff member with dependents.

UNITED NATIONS  **NATIONS UNIES**

**STATUTE OF THE ADMINISTRATIVE TRIBUNAL
OF THE UNITED NATIONS**

As adopted by the General Assembly by
Resolution 351 (IV) on 24 November 1949
and amended by Resolution 782 B (VIII) on
9 December 1953.

ARTICLE 1

A Tribunal is established by the present Statute to be known as the United Nations Administrative Tribunal.

ARTICLE 2

1. The Tribunal shall be competent to hear and pass judgment upon applications alleging non-observance of contracts of employment of staff members of the Secretariat of the United Nations or of the terms of appointment of such staff members. The words "contracts" and "terms of appointment" include all pertinent regulations and rules in force at the time of alleged non-observance, including the staff pension regulations.

2. The Tribunal shall be open:

(a) To any staff member of the Secretariat of the United Nations even after his employment has ceased, and to any person who has succeeded to the staff member's rights on his death;

(b) To any other person who can show that he is entitled to rights under any contract or terms of appointment, including the provisions of staff regulations and rules upon which the staff member could have relied.

3. In the event of a dispute as to whether the Tribunal has competence, the matter shall be settled by the decision of the Tribunal.

4. The Tribunal shall not be competent, however, to deal with any applications where the cause of complaint arose prior to 1 January 1950.

ARTICLE 3

1. The Tribunal shall be composed of seven members, no two of whom may be nationals of the same State. Only three shall sit in any particular case.

2. The members shall be appointed by the General Assembly for three years, and they may be re-appointed; provided, however, that of the members initially appointed, the terms of two members shall expire at the end of one year and the terms of two members shall expire at the end of two years. A member appointed to replace a member whose term of office has not expired shall hold office for the remainder of his predecessor's term.

3. The Tribunal shall elect its President and its two Vice-Presidents from among its members.

4. The Secretary-General shall provide the Tribunal with an Executive Secretary and such other staff as may be considered necessary.

5. No member of the Tribunal can be dismissed by the General Assembly unless the other members are of the unanimous opinion that he is unsuited for further service.

6. In case of a resignation of a member of the Tribunal, the resignation shall be addressed to the President of the Tribunal for transmission to the Secretary-General. This last notification makes the place vacant.

ARTICLE 4

The Tribunal shall hold ordinary sessions at dates to be fixed by its rules, subject to there being cases on its list which, in the opinion of the President, justify holding the session. Extraordinary sessions may be convoked by the President when required by the cases on the list.

ARTICLE 5

1. The Secretary-General of the United Nations shall make the administrative arrangements necessary for the functioning of the Tribunal.

2. The expenses of the Tribunal shall be borne by the United Nations.

ARTICLE 6

1. Subject to the provisions of the present Statute, the Tribunal shall establish its rules.

2. The rules shall include provisions concerning:

- (a) Election of the President and Vice-Presidents;
- (b) Composition of the Tribunal for its sessions;
- (c) Presentation of applications and the procedure to be followed in respect to them;
- (d) Intervention by persons to whom the Tribunal is open under paragraph 2 of article 2, whose rights may be affected by the judgment;
- (e) Hearing, for purposes of information, of persons to whom the Tribunal is open under paragraph 2 of article 2, even though they are not parties to the case; and generally
- (f) Other matters relating to the functioning of the Tribunal.

ARTICLE 7

1. An application shall not be receivable unless the person concerned has previously submitted the dispute to the joint appeals body provided for in the staff regulations and the latter has communicated its opinion to the Secretary-General, except where the Secretary-General and the applicant have agreed to submit the application directly to the Administrative Tribunal.

2. In the event of the joint body's recommendations being favourable to the application submitted to it, and in so far as this is the case, an application to the Tribunal shall be receivable if the Secretary-General has:

- (a) Rejected the recommendations;
- (b) Failed to take any action within the thirty days following the communication of the opinion; or
- (c) Failed to carry out the recommendations within the thirty days following the communication of the opinion.

3. In the event that the recommendations made by the joint body and accepted by the Secretary-General are unfavourable to the applicant, and in so far as this is the case, the application shall be receivable, unless the joint body unanimously considers that it is frivolous.

4. An application shall not be receivable unless it is filed within ninety days reckoned from the respective dates and periods referred to in paragraph 2 above, or within ninety days reckoned from the date of the communication of the joint body's opinion containing recommendations unfavourable to the applicant. If the circumstance rendering the application receivable by the Tribunal, pursuant to paragraphs 2 and 3 above, is anterior to the date of announcement of the first session of the Tribunal, the time-limit of ninety days shall begin to run from that date. Nevertheless, the said time-limit on his behalf shall be extended to one year if the heirs of a deceased staff member or the trustee of a staff member who is not in a position to manage his own affairs, file the application in the name of the said staff member.

5. In any particular case the Tribunal may decide to suspend the provisions regarding time-limits.

6. The filing of an application shall not have the effect of suspending the execution of the decision contested.

7. Applications may be filed in any of the five official languages of the United Nations.

ARTICLE 8

The oral proceedings of the Tribunal shall be held in public unless the Tribunal decides that exceptional circumstances require that they be held in private.

ARTICLE 9

1. If the Tribunal finds that the application is well founded, it shall order the rescinding of the decision contested or the specific performance of the obligation invoked. At the same time the Tribunal shall fix the amount of compensation to be paid to the applicant for the injury sustained should the Secretary-General, within thirty days of the notification of the judgment, decide, in the interest of the United Nations, that the applicant shall be compensated without further action being taken in his case; provided that such compensation shall not exceed the equivalent of two years' net base salary of the applicant. The Tribunal may, however, in exceptional cases, when it considers it justified, order the payment of a higher indemnity. A statement of the reasons for the Tribunal's decision shall accompany each such order.

2. Should the Tribunal find that the procedure prescribed in the Staff Regulations or Staff Rules has not been observed, it may, at the request of the Secretary-General and prior to the determination of the merits, order the case remanded for institution or correction of the required procedure. Where a case is remanded the Tribunal may order the payment of compensation, not to exceed the equivalent of three months' net base salary, to the applicant for such loss as may have been caused by the procedural delay.

3. In all applicable cases, compensation shall be fixed by the Tribunal and paid by the United Nations or, as appropriate, by the specialized agency participating under article 12.

ARTICLE 10

1. The Tribunal shall take all decisions by a majority vote.
2. The judgments shall be final and without appeal.
3. The judgments shall state the reasons on which they are based.
4. The judgments shall be drawn up, in any of the five official languages of the United Nations, in two originals which shall be deposited in the archives of the Secretariat of the United Nations.
5. A copy of the judgment shall be communicated to each of the parties in the case. Copies shall also be made available on request to interested persons.

ARTICLE 11

The present Statute may be amended by decisions of the General Assembly.

ARTICLE 12

The competence of the Tribunal may be extended to any specialized agency brought into relationship with the United Nations in accordance with the provisions of Articles 57 and 63 of the Charter upon the terms established by a special agreement to be made with each such agency by the Secretary-General of the United Nations. Each such special agreement shall provide that the agency concerned shall be bound by the judgments of the Tribunal and be responsible for the payment of any compensation awarded by the Tribunal in respect of a staff member of that agency and shall include, *inter alia*, provisions concerning the agency's participation in the administrative arrangements for the functioning of the Tribunal and concerning its sharing the expenses of the Tribunal.