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COMMITTEE ON APPLICATIONS FOR REVIEW OF  
ADMINISTRATIVE TRIBUNAL JUDGEMENTS

**RULES OF PROCEDURE\***

Article I

1. The proceedings of the Committee shall be governed by the rules of procedure of the General Assembly applicable to committees.
2. In addition to the aforementioned rules of procedure of the General Assembly, the following special rules, set out in articles II to XII below, relating to applications under article 11 of the Statute of the United Nations Administrative Tribunal shall apply.

Article II

1. Applications asking the Committee to request advisory opinion of the International Court of Justice shall be submitted in writing to the official designated by the Secretary-General to serve as Secretary of the Committee. For the purposes of paragraph 1 of article 11 of the Statute of the Administrative Tribunal, the date of the judgement shall be considered to be the date on which it has been received by the parties to the proceedings before the Tribunal, which date shall be presumed to be two weeks after the dispatch of copies thereof by the

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\* The Committee adopted provisional rules of procedure at its first meeting on 16 October 1956 which were amended at its meetings on 25 October 1956 (A/AC.86/2), 21 January 1957 (A/AC.86/2/Rev.1) and 11 December 1974 (A/AC.86/2/Rev.2 and A/AC.86/19). At its twenty-second session the Committee carried out a comprehensive review of its procedures and at its meeting on 16 February 1983 adopted the rules set out in this document as its definitive rules of procedure (A/AC.86/28).

Executive Secretary of the Tribunal. For the purposes of paragraph 2 of article 11 of the Statute, the date of the receipt of an application is the date when copies of that application are dispatched to the members of the Committee by the Secretary of the Committee. 1/

2. The application, except for any annexed documents, shall be submitted in any of the six languages of the General Assembly and shall be as brief as possible, in no event exceeding 12 pages. It shall contain the following information, which should be set out in the order indicated below:

(a) The number and date of the judgement concerning which a review is desired, and the names of the parties with respect to which the judgement was rendered.

(b) The full name of the applicant for review, and his address or that of his representative for the purpose of the proceedings. If the applicant for review is one who has succeeded to the rights of the person in respect of whom the judgement was rendered on the latter's death, this fact, together with supporting evidence including relevant data pertaining to the succession, shall be set forth.

(c) A statement setting forth in detail the grounds of the application under paragraph 1 of article 11 of the Statute of the Administrative Tribunal and the supporting arguments.

(d) A list of any supporting documents which are annexed to the application.

### Article III

1. Upon receipt of an application the Secretary shall as soon as possible have it (excluding any annexed documents) translated into the other languages of the General Assembly and thereafter immediately communicate it to all members of the Committee, as well as to the applicant for review and to the other party or parties to the proceedings before the Administrative Tribunal, together with a copy of the judgement to which it relates and an indication of where any annexed documents may be examined. Any document annexed to the application that is not available in English or French shall be translated into one of those languages at the request of any member of the Committee, except that no translation shall be made without the approval of the Committee if the document to be translated exceeds five pages.

2. Notwithstanding paragraph 1, if an application manifestly does not comply with the requirements of article II, paragraph 2 above, the Secretary, with the approval of the Chairman or in his absence the Rapporteur, shall, if the non-compliance appears susceptible of correction, return the application to the applicant with a request that it be corrected and resubmitted within one week of the date of return if the applicant is located in New York or otherwise within three weeks. If the application is not resubmitted in correct form within the

indicated time limit or if it does not appear to be susceptible of correction, it shall be considered to be irreceivable and the Secretary shall so inform the applicant. 2/

#### Article IV

1. The other party to the proceedings before the Administrative Tribunal or each of the parties in those cases where the application is made by a Member State may, within one week from the date on which a copy of the application was communicated in accordance with paragraph 1 of article III above if the party is located in New York or otherwise within three weeks, submit in writing to the Secretary its comments with respect to the application.

2. Comments of a party, or parties, shall be submitted in any of the six languages of the General Assembly and shall in no event exceed 12 pages (excluding any annexed documents).

#### Article V

Copies of comments submitted in accordance with article IV above shall be forthwith circulated by the Secretary to the members of the Committee, to the applicant for review and to the parties to the Administrative Tribunal proceedings.

#### Article VI

The Committee shall be convened as soon as possible after the expiry of the time-limit for receipt of comments in accordance with article IV above, and in any event no later than 25 days from the date of the receipt of the application.

#### Article VII

1. Except as provided in paragraph 4, all meetings of the Committee shall be closed.

2. Observations that the parties to the proceedings before the Administrative Tribunal wish to present to the Committee shall be submitted exclusively in writing. However, if the application is submitted by a member of the Committee, both parties to the proceedings before the Administrative Tribunal may request to be heard by the Committee for the purpose of allowing the parties or their representatives, with the permission of the Chairman, to make statements to the Committee concerning the application and to reply to questions that may be posed by members of the Committee.

3. All deliberations of the Committee shall take place in private, with the assistance solely of its Secretary and members of the Secretariat servicing the

meeting. The Committee shall take all its decisions concerning an application in private session.

4. The decisions of the Committee and the text of any questions to be addressed to the International Court of Justice, as well as the results of and the participants in any votes taken during the private deliberations, shall be formally announced in a public meeting, at which any member of the Committee may make a statement for the record.

#### Article VIII

The Committee may at any time invite additional information or views on any point with respect to which it considers such information or views necessary, provided that in such cases the same opportunity to present additional information or views is afforded to all parties to the Administrative Tribunal proceedings.

#### Article IX

1. The Committee shall take a decision in respect of each ground of the application set forth in accordance with subparagraph 2 (c) of article II above.

2. If the Committee decides that there is a substantial basis for the application under article 11 of the Statute of the Administrative Tribunal, it shall request an advisory opinion from the International Court of Justice, which request shall specify the ground or grounds as to which it has so decided pursuant to paragraph 1.

#### Article X

The decision taken by the Committee with respect to an application, together with the text of its request, if any, for an advisory opinion, shall be communicated by the Secretary to the parties to the proceedings before the Administrative Tribunal and to the Tribunal, and shall be circulated as a Committee document to all Member States.

#### Article XI

1. Sound recordings shall be prepared and kept of all proceedings of the Committee, in accordance with the practice of the United Nations.

2. If the Committee requests an advisory opinion of the International Court of Justice in respect of an application, the Secretary shall prepare and transmit to the Court, to all members of the Committee and to the parties to the proceedings before the Administrative Tribunal, a verbatim record, in English and French, of the proceedings of the Committee in respect of that application, except for those in the private deliberations provided for in paragraph 3 of article VII.

Article XII

1. The Committee shall, at its first session after the opening of each regular session of the General Assembly, elect the following officers:

(a) A Chairman, provided that until such election the Chairman of the Sixth Committee at the current recent session of the General Assembly shall serve as Chairman;

(b) A Rapporteur, provided that until such election the Rapporteur previously elected by the Committee shall continue to serve in that capacity.

2. The Rapporteur shall perform the functions of the Chairman in the absence of the latter.

Notes

1/ The Committee agreed that the period of two weeks referred to in the second sentence of this paragraph should have the status of a presumption only, so that it would be open to either party to the proceedings to show that the actual date of receipt of a judgement delivered by the Administrative Tribunal was later than two weeks after its dispatch by the Executive Secretary (A/AC.86/28, para. 4).

2/ The Committee requested its Secretary to inform it at the beginning of each session of any applications submitted since its last session that had been treated as irreceivable pursuant to this paragraph (A/AC.86/28, para. 5).

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