



# General Assembly

Distr.: Limited  
27 October 2011

Original: English

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## Sixty-sixth session Sixth Committee

Agenda item 143

### Administration of Justice at the United Nations

#### Draft resolution

### Amendments to the rules of procedure of the United Nations Appeals Tribunal

*The General Assembly,*

*Recalling* its resolution 63/253 of 24 December 2008, by which it adopted the statutes of the United Nations Dispute Tribunal and the United Nations Appeals Tribunal, as set out in annexes I and II to that resolution,

*Recalling also* article 7, paragraph 1, of the statute of the United Nations Dispute Tribunal and article 6, paragraph 1, of the statute of the United Nations Appeals Tribunal,

*Recalling further* article 37, paragraphs 1 and 2, of the rules of procedure of the United Nations Dispute Tribunal,<sup>1</sup> as well as article 32, paragraphs 1 and 2, of the rules of procedure of the United Nations Appeals Tribunal,<sup>2</sup>

*Having considered* the reports of the Secretary-General on the amendments to the rules of procedure of the United Nations Dispute Tribunal and the United Nations Appeals Tribunal,<sup>3</sup>

*Approves* the amendments to the rules of procedure of the United Nations Appeals Tribunal, as set out in the annex to the present resolution.

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<sup>1</sup> Resolution 64/119, annex I.

<sup>2</sup> *Ibid.*, annex II.

<sup>3</sup> A/66/86 and Add.1.



## **Annex**

### **Amendments to the rules of procedure of the United Nations Appeals Tribunal**

#### **Article 4 Panels**

2. When the President or any two judges sitting on a particular case consider that the case so warrants, the case shall be heard by the whole Appeals Tribunal. If there is a tie in the voting by the judges of the whole Appeals Tribunal, the President shall have a casting vote.

#### **Article 9 Answers, cross-appeals and answers to cross-appeals**

4. Within 45 days of notification of the appeal, a party answering the appeal may file a cross-appeal, accompanied by a brief which shall not exceed 15 pages, with the Appeals Tribunal stating the relief sought and the grounds of the cross-appeal. The cross-appeal may not add new claims.

5. The provisions of article 9.1 to 9.3 and 9.5 apply, *mutatis mutandis*, to a cross-appeal and answer to a cross-appeal.

#### **Article 18 *bis* Case management**

1. The President may, at any time, either on a motion of a party or of his or her own volition, issue any order which appears to be appropriate for the fair and expeditious management of the case and to do justice to the parties.

2. If, before the opening date of the session during which the case is to be considered, the appellant informs the Appeals Tribunal, in writing, with notice to the respondent, that he or she wishes to discontinue the proceedings, the President may order the case to be removed from the register.

3. If an action has become devoid of purpose and there is no longer any need to adjudicate it, the President may, at any time, of his or her own volition, after having informed the parties of that intention and, if applicable, received their observations, adopt a reasoned order.

4. The President may designate a judge or a panel of judges to issue any order within the purview of this article.

#### **Article 19 Adoption and issuance of judgements**

2. Judgements shall be issued in writing and shall state the reasons, facts and law on which they are based. Summary judgements may be issued at any time, even when the Appeals Tribunal is not in session. They shall be adopted by panels of three judges designated by the President.