



# international staff regulations

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unrwa  
الأونروا

united nations relief and works agency  
for palestine refugees in the near east

وكالة الأمم المتحدة لإغاثة وتشغيل  
اللاجئين الفلسطينيين في الشرق الأدنى



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### **Authority of Regulations**

These International Staff Regulations (hereinafter referred to as “Regulations” or “Staff Regulations”), promulgated under the authority of paragraph 9 of Resolution 302 (IV) adopted by the General Assembly of the United Nations on 8 December 1949, have been agreed to by the Secretary-General of the United Nations and the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (hereinafter referred to as "the Agency").

### **Scope and Purpose**

These Regulations embody fundamental conditions of service and the basic rights, duties and obligations, of the Agency's International staff members. The Commissioner-General will provide and enforce such Staff Rules consistent with the principles set forth in these Regulations as the Commissioner-General considers necessary.

### **Applicability**

(a) These Staff Regulations shall apply only to International staff members of the Agency. The term "staff" and "staff members" as used throughout these Regulations refers exclusively to International staff members.

(b) International staff members are those persons who have been designated as such in their letters of appointment.

## CHAPTER I

### DUTIES, OBLIGATIONS AND PRIVILEGES

#### Status of Staff

**Regulation 1.1:** Staff members of the Agency are international civil servants. The responsibilities of staff members are not national but exclusively international.

**Regulation 1.2:** Staff members shall subscribe to the following oath or declaration:

"I solemnly declare and promise to exercise in all loyalty, discretion and conscience the functions entrusted to me as a staff member of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, to discharge these functions and regulate my conduct with the interests of the Agency only in view, and not to seek or accept instructions in regard to the performance of my duties from any Government or other source external to the Agency."

"I also solemnly declare and promise to respect the obligations incumbent on me as set out in the Staff Regulations and Rules."

**Regulation 1.3:** The Commissioner-General shall ensure that the rights and duties of staff members, as set out in the Charter of the United Nations (the "Charter") and the Staff Regulations and Rules and in the relevant resolutions and decisions of the General Assembly, are respected

**Regulation 1.4:** The Commissioner-General shall seek to ensure that the paramount consideration in the determination of the conditions of service shall be the necessity of securing staff of the highest standards of efficiency, competence and integrity;

**Regulation 1.5:** The privileges and immunities enjoyed by the Agency as a subsidiary organ of the United Nations by virtue of Article 105 of the Charter are conferred in the interests of the Agency. These privileges and immunities furnish no excuse to the staff members who are covered by them to fail to observe laws and police regulations of the State in which they are located, nor do they furnish an excuse for non-performance of their private obligations. In any case where an issue arises regarding the application of these privileges and immunities, the staff member shall immediately report the matter to the Commissioner-General. The Commissioner-General will, in appropriate cases, refer the matter to the Secretary-General with whom alone it rests to decide whether the privileges and immunities shall be waived.

#### Basic Rights and Obligations of Staff

##### Core Values

**Regulation 1.6:** Staff members shall uphold and respect the principles set out in the Charter, including faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women. Consequently, staff members shall exhibit respect for all cultures; they shall not discriminate against any individual or group of individuals or otherwise abuse the power and authority vested in them.

## General Rights and Obligations

**Regulation 1.7:** Staff members are subject to the authority of the Commissioner-General and to assignment by the Commissioner-General to any of the activities or offices of the Agency. In exercising this authority the Commissioner-General shall seek to ensure, having regard to the circumstances, that all necessary safety and security arrangements are made for staff carrying out the responsibilities entrusted to them.

**Regulation 1.8:** In the performance of their duties, staff members shall neither seek nor accept instructions from any Government or other source external to the Agency.

**Regulation 1.9:** By accepting appointment, staff members pledge themselves to discharge their functions and to regulate their conduct with the interest of the Agency only in view. Loyalty to the aims, principles and purposes of the Agency is a fundamental obligation of all staff members by virtue of their status as international civil servants.

**Regulation 1.10:** While staff members' personal views and convictions, including their political and religious convictions, remain inviolable, staff members shall ensure that those views and convictions do not adversely affect their official duties or the interests of the Agency. They shall conduct themselves at all times in a manner befitting their status as international civil servants and shall not engage in any activity that is incompatible with the proper discharge of their duties with the Agency. They shall avoid any action and, in particular, any kind of public pronouncement that may adversely reflect on their status, or on the integrity, independence and impartiality that are required by that status.

**Regulation 1.11:** Staff members may exercise the right to vote but shall not engage in any political activity which is inconsistent with or might reflect adversely upon the independence and impartiality required by their status as international civil servants.

**Regulation 1.12:** Staff members shall exercise the utmost discretion with regard to all matters of official business. They shall not communicate to any Government, entity, person or any other source any information known to them by reason of their official position that they know or ought to have known has not been made public, except as appropriate in the normal course of their duties or by authorisation of the Commissioner-General. These obligations do not cease upon separation from service with the Agency.

**Regulation 1.13:** Staff members shall not use their office or knowledge gained from their official functions for private gain, financial or otherwise, or for the private gain of any third party, including family, friends and those they favour. Nor shall staff members use their office for personal reasons to prejudice the positions of those they do not favour.

### **Honours, Gifts or Remuneration**

**Regulation 1.14:** Staff members shall not accept any honour, decoration favour, gift or remuneration from any Government. If refusal of an unanticipated honour, decoration, favour or gift from a Government would cause embarrassment to the Agency, the staff member may receive it on behalf of the Agency and then report and entrust it to the Commissioner-General, who will either retain it for the Agency or arrange for its disposal for the benefit of the Agency or for a charitable purpose.

**Regulation 1.15:** Staff members shall not accept any honour, decoration, favour, gift or remuneration from any source external to the Agency, without first obtaining the approval of the Commissioner-General.

### **Conflict of Interest**

#### **Regulation 1.16**

(a) A conflict of interest occurs when, by act or omission, a staff member's personal interests interfere with the performance of his or her official duties and responsibilities or with the integrity, independence and impartiality required by the staff member's status as an international civil servant. When an actual or possible conflict of interest does arise, the conflict shall be disclosed by staff members to the Commissioner-General or delegated official, mitigated by the Agency and resolved in favour of the interests of the Agency;

(b) All staff members at the D-1 level and above shall be required to file financial disclosure statements on appointment and at intervals thereafter as prescribed by the Commissioner-General, in respect of themselves, their spouses and their dependent children, and to assist the Commissioner-General in verifying the accuracy of the information submitted when so requested. The financial disclosure statements shall include certification that the assets and economic activities of the staff members, their spouses and their dependent children do not pose a conflict of interest with their official duties or the interests of the Agency. The financial disclosure statements will remain confidential and will only be used, as prescribed by the Commissioner-General, in making determinations pursuant to staff regulation 1.16 (a). The Commissioner-General may require other staff to file financial disclosure statements as he or she deems necessary in the interest of the Agency.

### **Outside Employment and Activities**

**Regulation 1.17:** Staff members shall not engage in any outside occupation or employment, whether remunerated or not, without the approval of the Commissioner-General. The Commissioner-General may authorize staff members to engage in an outside occupation or employment, whether remunerated or not, if:

- (a) The outside occupation or employment does not conflict with the staff member's official functions or the status of an international civil servant;
- (b) The outside occupation or employment is not against the interest of the Agency; and
- (c) The outside occupation or employment is permitted by local law at the duty station or where the occupation or employment occurs.

## **Use of Property and Assets**

### **Regulation 1.18**

- (a) Staff members shall use the property and assets of the Agency only for official purposes and shall exercise reasonable care when utilizing such property and assets;
- (b) Staff members must respond fully to requests for information from staff members and other officials authorized by the Agency to investigate the possible misuse of funds, waste, abuse, or allegations of misconduct.

## **Performance of Staff**

### **Regulation 1.19**

- (a) Staff members are accountable to the Commissioner-General for the proper discharge of their functions. Staff members are required to uphold the highest standards of efficiency, competence and integrity in the discharge of their functions. Their performance will be appraised periodically to ensure that the required standards of performance are met;
- (b) The whole time of staff members shall be at the disposal of the Commissioner-General for the performance of official functions. The Commissioner-General shall establish a normal working week and shall establish official holidays for each duty station. Exceptions may be made by the Commissioner-General as the needs of the service may require, and staff members shall be required to work beyond the normal hours of duty when requested to do so.

## CHAPTER II

### CLASSIFICATION OF POSTS AND STAFF

**Regulation 2.1:** The Commissioner-General shall make appropriate provision for the classification of posts according to the nature of duties, the level of responsibilities and the qualifications required.

## CHAPTER III

### SALARIES AND RELATED ALLOWANCES

**Regulation 3.1:** Salaries of staff members shall be fixed by the Commissioner-General. No salary shall be paid to staff members in respect of periods of unauthorised absence from work unless such absence was caused by reasons beyond their control or duly certified medical reasons.

**Regulation 3.2:** The Commissioner-General has the authority to determine and set related allowances.

#### Education Grant

##### Regulation 3.3

(a) The Commissioner-General shall establish terms and conditions under which an education grant shall be available to a staff member residing and serving outside his or her recognized home country whose dependent child is in full-time attendance at a school, university, or similar educational institution of a type which will, in the opinion of the Commissioner-General, facilitate the child's re-assimilation in the staff member's recognized home country. The grant shall be payable in respect of the child up to the end of the school year in which the child completes four years of post-secondary studies or attains a first post-secondary degree, whichever comes first, subject to the upper age limit of 25 years. Admissible expenses actually incurred shall be reimbursed based on a sliding scale, subject to a maximum grant as approved by the General Assembly. Under conditions established by the Commissioner-General, travel costs for the child of a staff member in receipt of assistance with boarding expenses and attending school at the primary or secondary levels may also be paid for outward and return journey once in each scholastic year between the educational institution and the duty station. Such travel shall be by a route approved by the Commissioner-General, but not in an amount exceeding the cost of such a journey between the home country and the duty station;

(b) Under conditions established by the Commissioner-General, assistance for boarding-related expenses shall be provided to staff members serving in duty stations other than those classified as headquarters duty stations and whose children are boarding to attend school outside the duty station at the primary and secondary levels, at an amount approved by the General Assembly. The Commissioner-General may establish conditions under which boarding assistance may exceptionally be granted to staff members serving at headquarters duty stations whose children are boarding to attend school outside the duty station at the primary and secondary levels;

(c) The Commissioner-General shall also establish terms and conditions under which an education grant shall be available to a staff member serving in a country whose language is different from his or her own and who is obliged to pay tuition for the teaching of the mother tongue to a dependent child attending a local school in which the instruction is given in a language other than his or her own;

(d) The Commissioner-General shall also establish terms and conditions under which an education grant shall be available to a staff member whose child is unable by reason of physical or mental disability, to attend a normal educational institution and therefore requires special teaching or training to prepare him or her for full integration into society or while attending a normal educational institution, requires special teaching or training to assist him or her in overcoming the disability. The amount of this grant per year for each disabled child shall be equal to 100 per cent of the educational expenses actually incurred up to a maximum amount approved by the General Assembly.

## Dependency Allowances

### Regulation 3.4

(a) Staff members shall be entitled to receive dependency allowances for a dependent spouse, for a dependent child, for a disabled child and for a secondary dependant at rates approved by the General Assembly as follows:

(i) The staff member shall be entitled to receive a dependent spouse allowance in the amount of 6 per cent of net base salary plus post adjustment, under conditions established by the Commissioner-General.

(ii) The staff member shall be entitled to a single parent allowance in respect of the first dependent child in the amount of 6 per cent of net base salary plus post adjustment, under conditions established by the Commissioner-General.

(iii) The staff member shall receive an allowance for each dependent child except that the allowance shall not be paid in respect of the first dependent child if the staff member receives a single parent allowance under subparagraph (ii) above;

(iv) The staff member shall receive a special allowance for each disabled child. However, if the staff member is entitled to the single parent allowance under subparagraph (ii) above in respect of a disabled child, the allowance shall be the same as the allowance for a dependent child in subparagraph (iii) above;

(v) Where there is no dependent spouse, a single annual allowance shall be paid for a secondary dependant in respect of either a dependent parent, a dependent brother or a dependent sister.

(b) When a staff member is in a legally recognized relationship, or has a child or children with, another staff member or a staff member of another organization of the United Nations Common System, only one may claim dependency benefits for dependent children emanating from that relationship, under (a) (iii) and (iv) above, either spouse may claim a secondary dependent allowance under (a) (v) above;

(c) With a view to avoiding duplication of benefits and in order to achieve equality between staff members who receive dependency benefits under applicable laws in the form of governmental grants and staff members who do not receive such dependency benefits, the Commissioner-General shall prescribe conditions under which the dependency allowance for a child specified in (a) (ii) and (iii) above shall be payable only to the extent the dependency benefits enjoyed by the staff member or his or her spouse under applicable laws amount to less than such a dependency allowance;

(d) Claims for dependency allowances shall be submitted in writing and supported by evidence satisfactory to the Commissioner-General. A separate claim for dependency allowances shall be made each year.

## Staff Assessment

### Regulation 3.5

(a) An assessment at the rates and under the conditions specified below shall be applied to the salaries and such other emoluments of staff members as are computed on the basis of salary, excluding post adjustments;

(b) The assessment shall be calculated at the following rates:

#### Assessment

<i>Total assessable payments (United States dollars)</i>	<i>Staff assessment rates for purposes of pensionable remuneration and pensions (percentage)</i>
Up to 20,000 per year . . . . .	11
20,001 to 40,000 per year . . . . .	18
40,001 to 60,000 per year . . . . .	25
60,001 and above per year . . . . .	30

#### Staff assessment rates used in conjunction with gross base salaries (effective 1 January 2017)

<i>Assessable payments (United States dollars)</i>	<i>Staff assessment rates (percentage)</i>
First 50,000 per year . . . . .	17
Next 50,000 per year . . . . .	24
Next 50,000 per year . . . . .	30
Remaining assessable payments. . . . .	34

(c) In the case of a person who is not employed by the Agency for the whole of a calendar year or in cases where there is a change in the annual rate of payments made to a staff member, the rate of assessment shall be governed by the annual rate of such payment to him or her;

(d) The assessment computed under foregoing provisions of the present regulation shall be collected by the Agency by withholding it from payments. No part of the assessment as collected shall be refunded because of cessation of employment during the calendar year;

(e) Revenue derived from staff assessment not otherwise disposed of by specific resolution of the General Assembly shall be credited to the Tax Equalization Fund established by General Assembly resolution 973 A (X);

(f) Where a staff member is subject to both staff assessment under this plan and to national income taxation in respect of salaries and emoluments paid to him or her by UNRWA, the UN Income Tax Unit is authorised to refund him or her the amount of staff assessment collected from him or her provided that:

- (i) The amount of such refund shall in no case exceed the amount of his or her income taxes paid and payable in respect of his or her UNRWA income. The amount of such refund shall not include tax credits applied to income taxes paid and payable in respect of his or her UNRWA income;
- (ii) If the amount of such income taxes exceeds the amount of staff assessment, the Commissioner-General may also pay to the staff member the amount of such excess;
- (iii) Payments made in accordance with the provisions of the present Regulation shall be charged to the Tax Equalization Fund;
- (iv) A payment under the conditions prescribed in the three preceding subparagraphs is authorised in respect of dependency benefits and post adjustments, which are not subject to staff assessment but may be subject to national income taxation.

## CHAPTER IV

### APPOINTMENT AND PROMOTION

#### Regulation 4.1

(a) The Commissioner-General shall appoint staff members. Upon appointment each member shall receive a letter of appointment signed by the Commissioner-General or by an official in the name of the Commissioner-General;

(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 the appointment the staff member shall state that he or she has been made acquainted with and accepts the conditions laid down in the Staff Regulations and in the Staff Rules. 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 International staff members, 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 or her duties;
- (iv) The period of appointment, the notice required to terminate it and the 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 obtainable; and
- (vi) Any special conditions which may be applicable.

**Regulation 4.2:** Staff members shall be granted fixed-term appointment under such terms and conditions consistent with these Regulations, Staff Rules, and other administrative issuances as the Commissioner-General and his delegates may prescribe from time to time.

**Regulation 4.3:** 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 staff on as wide a geographical basis as possible.

**Regulation 4.4:** In accordance with the principles of the Charter of the United Nations, 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 4.5:** 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 specialized agencies brought into relationship with the United Nations. The Commissioner-General may limit eligibility to apply for vacant posts to internal candidates, as defined by the Commissioner-General. If so, other candidates shall be allowed to apply, under conditions to be defined by the Commissioner-General, when no internal candidate meets the requirements of Article 101, paragraph 3, of the Charter as well as the requirements of the post.

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

## CHAPTER 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 Commissioner-General in exceptional cases.

#### Home Leave

**Regulation 5.3:** Eligible staff members shall be granted home leave once in every twenty-four months. However, the Commissioner-General may grant home leave once in every twelve months to eligible staff members in duty stations having the most difficult conditions of life and work under specific conditions, as approved by the General Assembly. A staff member whose home country is either the country of his or her official duty station or the country of his or her normal residence while in the Agency's service shall not be eligible for home leave.

## CHAPTER VI

### SOCIAL SECURITY

#### Pension Fund

**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.

#### Protection against Illness and Injury

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

## CHAPTER VII

### TRAVEL AND RELOCATION EXPENSES

**Regulation 7.1:** Subject to conditions and definitions prescribed by the Commissioner-General, the Agency shall in appropriate cases pay the travel expenses of staff members, their spouses and their dependants.

**Regulation 7.2:** Subject to conditions and definitions prescribed by the Commissioner-General, the Agency shall in appropriate cases pay relocation shipment for staff members.

## **CHAPTER VIII**

### **STAFF RELATIONS**

#### **Regulation 8.1**

(a) The Commissioner-General shall establish and maintain continuous contact and communication with the staff in order to ensure the effective participation of the staff in identifying, examining and resolving issues relating to staff welfare, including conditions of work, general conditions of life and other human resources policies;

(b) Staff representative bodies shall be established and shall be entitled to initiate proposals to the Commissioner-General for the purpose set forth in paragraph (a) above. They shall be organized in such a way as to afford equitable representation to all staff members, by means of elections under electoral regulations drawn up the respective staff representative body and agreed to by the Commissioner-General.

**Regulation 8.2:** The Commissioner-General shall establish joint staff-management machinery at both local and Agency-wide levels to advise him or her regarding human resources policies and general questions of staff welfare as provided in staff regulation 8.1.

## CHAPTER IX

### SEPARATION FROM SERVICE

#### Resignation

**Regulation 9.1:** Staff members may resign from the Agency upon giving the Commissioner-General the notice required under their letter of appointment.

#### Retirement

##### **Regulation 9.2**

(a) Staff members shall not be retained in active service beyond the age of 60 years or, if appointed between 1 January 1990 and 31 December 2013, beyond the age of 62 years or, if appointed on or after 1 January 2014, beyond the age of 65 years. The Commissioner-General may, in the interest of the Agency, extend this age limit in exceptional cases.

(b) Retirement under article 28 of the United Nations Joint Staff Pension Fund Regulations shall not be regarded as a termination within the meaning of the Staff Regulations and Staff Rules.

#### Termination

**Regulation 9.3:** The Commissioner-General may, giving the reasons therefore, terminate the appointment of a staff member in accordance with the terms of his or her appointment or for any of the following reasons:

- (a) If the services of the staff member prove unsatisfactory;
- (b) If the staff member is, for reasons of health, incapacitated for further service;
- (c) If the conduct of the staff member indicates that the staff member does not meet the highest standards of integrity required by regulation 4.3, above;
- (d) If facts anterior to the appointment of the staff member and relevant to his or her suitability come to light that, if they had been known at the time of his or her appointment, should, under the standards established by regulation 4.3 or the UN Charter, above, have precluded his or her appointment;
- (e) If, in the Commissioner-General's opinion, such action would be in the interest of the Agency, including in situations requiring the abolition of the post or reduction of the staff.

## **Notice of Termination & Termination Indemnity**

### **Regulation 9.4**

- (a) If the Commissioner-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 Rules. Payments of termination indemnity shall be made in accordance with the rates and conditions prescribed by the Commissioner-General;
- (b) The Commissioner-General may, where the circumstances warrant and he or she considers it justified, pay to a staff member whose appointment has been terminated, provided that the termination is not contested, a termination indemnity payment not more than 50 per cent higher than that which would otherwise be payable under the Staff Regulations.

## **Expiration of Fixed-Term Appointments**

### **Regulation 9.5**

- (a) A fixed term appointment shall expire automatically and without prior notice on the expiration date specified in the letter of appointment;
- (b) Separation as a result of the expiration of any such appointment shall not be regarded as a termination within the meaning of the Staff Regulations and Staff Rules.

## **Repatriation Grant**

### **Regulation 9.6**

In principle, the repatriation grant shall be payable to staff members who have completed at least five years of qualifying service, whom the Agency is obliged to repatriate and who at the time of separation are residing, by virtue of their service with the Agency, outside their country of nationality. The repatriation grant shall not, however, be paid to a staff member who is dismissed for misconduct. Staff members shall be entitled to a repatriation grant only upon relocation outside the country of the duty station. Detailed conditions and definitions relating to eligibility and requisite evidence of relocation shall be determined by the Commissioner-General.

## CHAPTER X

### DISCIPLINARY MEASURES

**Regulation 10.1:** The Commissioner-General may impose disciplinary measures on staff members who engage in misconduct.

**Regulation 10.2:** Sexual exploitation and sexual abuse constitute serious misconduct.

## CHAPTER XI

### APPEALS

**Regulation 11.1:** There shall be a two-tier formal system of administration of justice:

(A) The UNRWA Dispute Tribunal shall, under conditions prescribed in its Statute and Rules of Procedure, which are set out in staff regulations 11.4 and 11.5, hear and render judgement on an application from a staff member:

- (i) to appeal an administrative decision that is alleged to be in non-compliance with his or her terms of appointment or contract of employment, including all pertinent regulations and rules and all relevant administrative issuances;
- (ii) to appeal an administrative decision imposing a disciplinary measure.

(B) The United Nations Appeals Tribunal shall, under conditions prescribed in its statute and rules, exercise appellate jurisdiction over an appeal of a judgement rendered by the UNRWA Dispute Tribunal submitted by either party.

**Regulation 11.2:** The United Nations Dispute Tribunal shall not hear or render judgement on applications from staff members.

**Regulation 11.3:** There shall be an UNRWA Internal Justice Committee that provides its views on the implementation of the UNRWA system of administration of justice to the Commissioner-General and performs such other functions as established in the Staff Regulations and Rules.

#### Regulation 11.4

### STATUTE OF THE UNRWA DISPUTE TRIBUNAL

#### Article 1

A tribunal to be known as the UNRWA Dispute Tribunal is established by the present statute to be utilized by UNRWA as the neutral first instance of the United Nations two-tier formal system of administration of justice.

#### Article 2

1. The Dispute Tribunal shall be competent to hear and pass judgement on an application filed by an individual, as provided for in article 3, paragraph 1, of the present statute, against the Commissioner-General as the Chief Executive Officer of UNRWA:

- (a) To appeal an administrative decision that is alleged to be in non-compliance with the terms of appointment or the contract of employment. The terms “contract” and “terms of appointment” include all pertinent regulations and rules and all relevant administrative issuances in force at the time of alleged non-compliance;

- (b) To appeal an administrative decision imposing a disciplinary measure.
2. The Dispute Tribunal shall be competent to permit or deny leave to an application to file a friend-of-the-court brief by a staff association.
3. The Dispute Tribunal shall be competent to permit an individual who is entitled to appeal the same administrative decision under paragraph 1 (a) of the present article to intervene in a matter brought by another staff member under the same paragraph.
4. In the event of a dispute as to whether the Dispute Tribunal has competence under the present statute, the Dispute Tribunal shall decide on the matter.
5. As a transitional measure, the Dispute Tribunal shall be competent to hear and pass judgement on cases filed prior to the establishment of the Dispute Tribunal and in respect of which no report of a joint appeals board has been submitted to the Commissioner-General. Such cases will be deemed to be receivable under article 8 of the present statute.

### Article 3

An application under article 2, paragraph 1, of the present statute may be filed by:

- (a) Any staff member of UNRWA;
- (b) Any former staff member of UNRWA;
- (c) Any person making claims in the name of an incapacitated or deceased staff member of UNRWA.

### Article 4

1. The Dispute Tribunal shall be composed of one judge, who may be full-time or part-time, and *ad litem* judges as appropriate.
2. The UNRWA Internal Justice Committee shall nominate candidates for the position of judge for formal appointment by the Commissioner-General.
3. To be eligible for appointment as a judge, a person shall:
- (a) Be of high moral character; and
  - (b) Possess at least 10 years of judicial experience in the field of administrative law, or the equivalent within one or more national jurisdictions.
4. A judge of the Dispute Tribunal shall be appointed for one non-renewable term of seven years. An *ad litem* judge shall be appointed for such period as specified in the vacancy announcement and as extended by the Commissioner-General following recommendation by the UNRWA Internal Justice Committee for a maximum of seven years.
5. A judge of the Dispute Tribunal shall not be eligible for any appointment within UNRWA for a period of five years following his or her term of office.
6. A judge of the Dispute Tribunal shall serve in his or her personal capacity and enjoy full independence.
7. A judge of the Dispute Tribunal who has, or appears to have, a conflict of interest shall recuse

himself or herself from the case. A party may request recusal on the basis that the judge has, or appears to have, a conflict of interest. Where a party requests such recusal, the decision shall be taken by the UNRWA Internal Justice Committee.

8. A judge of the Dispute Tribunal may only be removed in case of misconduct or incapacity. The UNRWA Internal Justice Committee shall decide whether a judge should be removed on these grounds, following which the Commissioner-General shall formally remove the judge.

9. A judge of the Dispute Tribunal may resign by notifying the Commissioner-General in writing.

10. The UNRWA Internal Justice Committee may only make a decision under paragraphs 2, 7 and 8 of the present article with the agreement of at least five of its members including a majority of the three distinguished external jurist members.

## **Article 5**

The judge of the Dispute Tribunal shall exercise his or her functions in Amman. However, the Dispute Tribunal may decide to hold sessions at other UNRWA duty stations.

## **Article 6**

1. The Commissioner-General shall make the administrative arrangements necessary for the functioning of the Dispute Tribunal, including provisions for the travel and related costs of staff whose physical presence before the Dispute Tribunal is deemed necessary by the Dispute Tribunal and for the judge to travel as necessary to hold sessions at other UNRWA duty stations.

2. The Registry of the Dispute Tribunal shall be established in Amman and consist of a Registrar and such other staff as necessary.

3. The expenses of the Dispute Tribunal shall be borne by UNRWA.

4. Compensation ordered by the Dispute Tribunal shall be paid by UNRWA.

## **Article 7**

1. The Rules of Procedure of the Dispute Tribunal are set out in staff regulation 11.5. Subject to the provisions of the present statute, the Dispute Tribunal may adopt amendments to these Rules of Procedure which shall be submitted to the Commissioner-General for approval by the Commissioner-General in agreement with the Secretary-General.

2. The rules of procedure of the Dispute Tribunal shall include provisions concerning:

- (a) Organization of work;
- (b) Presentation of submissions and the procedure to be followed in respect thereto;
- (c) Procedures for maintaining the confidentiality and inadmissibility of oral or written statements made during the mediation process;
- (d) Intervention by persons not party to the case whose rights may be affected by the judgement;
- (e) Oral hearings;
- (f) Publication of judgements;
- (g) Functions of the Registry;
- (h) Procedure for summary dismissal of a case before the Dispute Tribunal;

- (i) Evidentiary procedure;
- (j) Procedure for the recusal of a judge;
- (k) Other matters relating to the functioning of the Dispute Tribunal.

## Article 8

1. An application shall be receivable if:
  - (a) The Dispute Tribunal is competent to hear and pass judgement on the application, pursuant to article 2 of the present statute;
  - (b) An applicant is eligible to file an application, pursuant to article 3 of the present statute;
  - (c) An applicant has previously submitted the contested administrative decision for decision review; and
  - (d) The application is filed within the following deadlines:
    - (i) Within 90 calendar days of the applicant's receipt of the response by management to his or her submission; or
    - (ii) Within 90 calendar days of the expiry of the relevant response period for the decision review if no response to the request was provided. The response period shall be 30 calendar days after the submission of the decision to decision review;
    - (iii) The deadlines provided for in subparagraphs (d) (i) and (ii) of the present paragraph shall be extended to one year if the application is filed by any person making claims in the name of an incapacitated or deceased staff member of UNRWA;
    - (iv) Where the parties have sought mediation of their dispute within the deadlines for the filing of an application under subparagraph (d) of the present paragraph, but did not reach an agreement, the application is filed within 90 calendar days after the mediation has broken down.
2. An application shall not be receivable if the dispute arising from the contested administrative decision had been resolved by an agreement reached through mediation.
3. The Dispute Tribunal may decide in writing, upon written request by the applicant, to suspend, waive or extend the deadlines for a limited period of time and only in exceptional cases. The Dispute Tribunal shall not suspend, waive or extend the deadlines for decision review.
4. Notwithstanding paragraph 3 of the present article, an application shall not be receivable if it is filed more than three years after the applicant's receipt of the contested administrative decision.
5. The filing of an application shall not have the effect of suspending the implementation of the contested administrative decision.
6. An application and other submissions shall be filed in English or Arabic.

## Article 9

1. The Dispute Tribunal may order production of documents or such other evidence as it deems necessary.

2. The Dispute Tribunal shall decide whether the personal appearance of the applicant or any other person is required at oral proceedings and the appropriate means for satisfying the requirement of personal appearance.

## Article 10

1. The Dispute Tribunal may suspend proceedings in a case at the request of the parties for a time to be specified by it in writing.

2. At any time during the proceedings, the Dispute Tribunal may order an interim measure, which is without appeal, to provide temporary relief to either party, where the contested administrative decision appears prima facie to be unlawful, in cases of particular urgency, and where its implementation would cause irreparable damage. This temporary relief may include an order to suspend the implementation of the contested administrative decision, except in cases of appointment, promotion or termination.

3. At any time during the proceedings, including at the hearing, the Dispute Tribunal may suggest to the parties to seek mediation.

4. Prior to a determination of the merits of a case, should the Dispute Tribunal find that a relevant procedure prescribed in the Staff Regulations and Rules or applicable administrative issuances has not been observed, the Dispute Tribunal may, with the concurrence of the Commissioner-General, remand the case for institution or correction of the required procedure, which, in any case, should not exceed three months.

5. As part of its judgement, the Dispute Tribunal may order one or both of the following:

- (a) Rescission of the contested administrative decision or specific performance, provided that, where the contested administrative decision concerns appointment, promotion or termination, the Dispute Tribunal shall also set an amount of compensation that the respondent may elect to pay as an alternative to the rescission of the contested administrative decision or specific performance ordered, subject to subparagraph (b) of the present paragraph;
- (b) Compensation for harm supported by evidence, which shall normally not exceed the equivalent of two years' net base salary of the applicant. The Dispute Tribunal may, however, in exceptional cases order the payment of a higher compensation for harm supported by evidence and shall provide the reasons for that decision.

6. Where the Dispute Tribunal determines that a party has manifestly abused the proceedings before it, it may award costs against that party.

7. The Dispute Tribunal shall not award exemplary or punitive damages.

8. The Dispute Tribunal may refer appropriate cases to the Commissioner-General for possible action to enforce accountability.

9. Cases before the Dispute Tribunal shall be considered by a single judge.

## Article 11

1. The judgements of the Dispute Tribunal shall be issued in writing and shall state the reasons, facts

and law on which they are based.

2. The deliberations of the Dispute Tribunal shall be confidential.
3. The judgements of the Dispute Tribunal shall be binding upon the parties, but are subject to appeal in accordance with the statute of the United Nations Appeals Tribunal. In the absence of such appeal, they shall be executable following the expiry of the time provided for appeal in the statute of the Appeals Tribunal.
4. The judgements of the Dispute Tribunal shall be drawn up in English and two originals shall be deposited in the archives of UNRWA.
5. A copy of the judgement shall be communicated to each party in the case. If requested, the applicant shall also receive a copy translated into Arabic if the application was submitted in Arabic.
6. The judgements of the Dispute Tribunal shall be published, while protecting personal data, and made generally available by the Registry of the Tribunal.

## **Article 12**

1. Either party may apply to the Dispute Tribunal for a revision of an executable judgement on the basis of the discovery of a decisive fact which was, at the time the judgement was rendered, unknown to the Dispute Tribunal and to the party applying for revision, always provided that such ignorance was not due to negligence. The application must be made within 30 calendar days of the discovery of the fact and within one year of the date of the judgement.
2. Clerical or arithmetical mistakes, or errors arising therein from any accidental slip or omission, may at any time be corrected by the Dispute Tribunal, either on its own motion or on the application of any of the parties.
3. Either party may apply to the Dispute Tribunal for an interpretation of the meaning or the scope of the final judgement, provided that it is not under consideration by the Appeals Tribunal.
4. Once a judgement is executable under article 11, paragraph 3, of the present statute, either party may apply to the Dispute Tribunal for an order for execution of the judgement if the judgement requires execution within a certain period of time and such execution has not been carried out.

## **Article 13**

The present statute may be amended by the Commissioner-General in agreement with the Secretary-General of the United Nations.

## **Regulation 11.5**

### **RULES OF PROCEDURE OF THE UNRWA DISPUTE TRIBUNAL**

#### **Article 1      Venue**

The judge of the UNRWA Dispute Tribunal shall exercise his or her functions in Amman. However, the Dispute Tribunal may decide to hold sessions at other UNRWA duty stations.

## **Article 2 Filing of cases**

An application shall be filed at the Registry of the Dispute Tribunal.

## **Article 3 Time limits for filing applications**

1. An application shall be filed with the Tribunal through the Registrar within:
  - (a) 90 calendar days after the Applicant received the decision review, as appropriate; or
  - (b) 90 calendar days after the expiry of the relevant response period for the decision review, i.e., 30 calendar days.
2. Any person making claims in the name of an incapacitated or deceased staff member of UNRWA shall have one calendar year to file an application.
3. Where the parties have sought mediation of their dispute, the application shall be receivable if filed within 90 calendar days after mediation has broken down.
4. In exceptional cases, an Applicant may submit a written request to the Dispute Tribunal seeking suspension, waiver or extension of the time limits referred to in Article 3.1, above. Such written request shall succinctly set out the exceptional reasons that, in the view of Applicant, justify the request. Such written request shall not exceed two pages in length.
5. In accordance with Article 8.4 of the Statute of the Dispute Tribunal, no application shall be receivable if filed more than three years after the Applicant's receipt of the contested administrative decision.

## **Article 4 Applications**

1. An application may be filed on an application form to be prescribed by the Registrar.
2. The application should include the following information:
  - (a) Applicant's full name, date of birth and nationality;
  - (b) Applicant's employment status (including UNRWA index number, post title, duty station and Department) or relationship to the staff member if relying on his or her rights;
  - (c) Name of the Applicant's legal representative (attach authorization);
  - (d) Physical and electronic address for service of documents;
  - (e) Date and place of the contested decision (attach contested decision if any);
  - (f) Action and remedies sought;
  - (g) Any supporting documentation (annexed and numbered, including mention of translated documents).

3. The application form and all annexes shall be filed in one signed original together with annexed documents, which may be electronically transmitted.

4. After ascertaining that the requirements of this Article are complied with, the Registrar shall transmit a copy of the application to the Respondent and to any other party a judge considers appropriate. If the formal requirements of the Article are not fulfilled, the Registrar may require the Applicant to comply with the requirements of this Article within a specified time-limit. Once the corrections have been properly made, the Registrar shall transmit a copy of the application to the Respondent.

#### **Article 5 Summary judgement**

A party may move for summary judgement when there is no dispute as to the material facts of the case and a party is entitled to judgement as a matter of law. The Tribunal may determine, on its own initiative, that summary judgement is appropriate.

#### **Article 6 Reply**

1. The Respondent's reply shall be submitted within 30 calendar days from the date of receipt of the application by the Respondent in one signed original together with annexed documents, which may be electronically transmitted. If the application is submitted in Arabic, the Respondent shall submit its reply in English and, within 14 calendar days after the submission date of the Respondent's reply in English, an Arabic translation of the English reply. The documents attached to the reply may be submitted in the language in which they have been issued. The Respondent who has not submitted a reply within the requisite period shall not be entitled to take part in the proceedings except with the leave of the Tribunal.

2. After ascertaining that the requirements of this Article are complied with, the Registrar shall transmit a copy of the response to the Applicant and to any other party a judge considers appropriate. If the formal requirements of the Article are not fulfilled, the Registrar may require the Respondent to comply with the requirements of this Article within a specified time limit. Once the corrections have been properly made, the Registrar shall transmit a copy of the reply to the Applicant.

#### **Article 7 Joining of a party**

The Tribunal may, at any time, either on the application of a party or of its own initiative join another party if it appears to the Tribunal that that party has a legitimate interest in the outcome of the proceedings.

#### **Article 8 Representation**

1. A party may present his or her case before the Dispute Tribunal in person, or may be represented by outside counsel.

2. A party may also be represented by a staff member or a former staff member of UNRWA, the United Nations Secretariat or other United Nations agencies, or one of the specialised agencies.

#### **Article 9 Suspension of action during the proceedings**

1. At any time during the proceedings, the Dispute Tribunal may order an interim measure to provide temporary relief, where the contested administrative decision appears prima facie to be unlawful, in cases of particular urgency, and where its implementation would cause irreparable damage. This temporary relief may include an order to suspend the implementation of the contested administrative decision, except in

cases of appointment, promotion or termination.

2. The Registrar shall transmit the application to the Respondent.
3. The Tribunal shall consider an application for interim measures within five working days of the receipt by the Respondent of the application.
4. The decision of the Dispute Tribunal on such an application shall not be subject to appeal.

#### **Article 10 Mediation**

1. At any time during the proceedings, including at the hearing, the Dispute Tribunal may suggest to the parties to seek mediation and suspend the proceedings.
2. Where parties decide to seek mediation, either on their own initiative or following a suggestion by the judge, they shall promptly inform the Registry in writing.
3. Except for any agreement reached through mediation, all documents prepared for – and oral statements made during – any mediation are absolutely privileged and confidential and shall never be disclosed to the Dispute Tribunal. No mention shall be made of any such mediation efforts in documents or written pleadings submitted to the Tribunal or in any oral arguments made before the Dispute Tribunal.

#### **Article 11 Hearing**

1. The Judge hearing a case may hold oral hearings.
2. The Registrar shall notify the date and time of a hearing to the parties in advance, and confirm the names of witnesses or expert witnesses for the hearing of a particular case.
3. In case of an oral hearing, the parties or their duly designated representatives must be present either in person or by video-link, telephone or any other electronic means.
4. If the Tribunal requires the physical presence of a party or any other person at the hearing, the necessary costs associated with the travel and accommodation of the party shall be borne by UNRWA.

#### **Article 12 Oral evidence at oral hearings**

1. The parties may call witnesses and experts to testify. The opposing party may cross examine any witnesses and experts. The Tribunal may examine any witnesses or experts called by either party and may call any other witnesses or experts it deems necessary. The Tribunal may make an order requiring the presence of any person and to produce any document.
2. The Tribunal may, if it considers it appropriate in the interest of justice to do so, proceed to determine a case in the absence of a party.
3. Each witness shall make the following declaration before giving his or her statement:  
"I solemnly declare upon my honour and conscience that I will speak the truth, the whole truth and nothing but the truth".
4. Each expert shall make the following declaration before giving his or her statement: "I solemnly declare upon my honour and conscience that my statement will be in accordance with my sincere belief".

5. Any party may object to the testimony of a given witness or expert, stating reasons for such objection. The Tribunal shall decide on the matter. Its decision shall be final.

6. The Tribunal shall decide whether the personal appearance of a witness or expert is required at oral hearings and determine the appropriate means for satisfying the requirement of personal appearance. Evidence may be taken by video-link, telephone or any other electronic means.

### **Article 13 Evidence**

1. The Tribunal shall determine the admissibility of any evidence.

2. The Tribunal may order production of evidence from either party at any time and may require any person to disclose any document or provide information that appears to the Tribunal to be necessary for a fair and expeditious disposal of the proceedings.

3. A party wishing to submit evidence which is in the possession of the opposing party, or of any other entity may, in the initial application or at any stage of the proceedings, request the Tribunal to order the production of the evidence.

4. The Tribunal may, at the request of either party, impose measures to preserve the confidentiality of evidence, where warranted by security interests or other exceptional circumstances.

5. The Tribunal may exclude evidence which it considers irrelevant, frivolous, or lacking in probative value. The Tribunal may also limit the oral testimony as it deems appropriate.

### **Article 14 Case management**

The Tribunal may, at any time, either on an application of a party or of its own initiative make any order or give any direction which appears to the judge to be appropriate for a fair and expeditious disposal of the case and to do justice to the parties.

### **Article 15 Remand of case for institution or correction**

Prior to a determination of the merits of a case, should the Tribunal find that a relevant procedure prescribed in the Staff Regulations and Rules or applicable administrative issuances has not been observed, the Tribunal may, with the concurrence of the Commissioner-General, remand the case for institution or correction of the required procedure, which, in any case, should not exceed three months.

### **Article 16 Registry**

1. The Tribunal shall be supported by the Registry, which shall provide all necessary administrative and support services to it.

2. The Registry shall be established in Amman and shall be headed by a Registrar appointed by the Commissioner-General and such staff as necessary.

3. The Registrar shall discharge the duties set out in these Rules of Procedure and shall support the work of the Dispute Tribunal at the direction of the judge. In particular, the Registrar shall:

- (a) Transmit all documents and make all notifications required in these Rules of Procedure, or by the judge, in connection with proceedings before the Tribunal;
  - (b) Establish for each case a master Registry file which shall record all actions taken in connection with the preparation of the case for hearing, the dates thereof, and the dates on which any document or notification forming part of the procedure is received in or dispatched from his or her office; and
  - (c) Perform any other duties that are required by the judge for the efficient functioning of the Tribunal.
4. The Registrar, if unable to act, shall be replaced by an official appointed by the Commissioner-General.

#### **Article 17 Intervention by persons not party to the case**

1. Any person to whom the Tribunal is open under article 2.3 of the Statute may apply to intervene on an application form to be prescribed by the Registrar, in a case at any stage thereof, on the ground that he or she has a right which may be affected by the judgment to be issued by the Tribunal.
2. After ascertaining that the requirements of the present article are complied with, the Registrar shall transmit a copy of the application for intervention to the Applicant and to the Respondent.
3. The Tribunal shall decide on the admissibility of the application to intervene. Such decision shall be final and shall be communicated to the Intervener and the parties by the Registrar.
4. The Tribunal shall set the modalities of the intervention. If admissible, the Tribunal shall decide which documents, if any, relating to the proceedings are to be transmitted to the Intervener by the Registrar and shall fix a time by which any written submissions must be submitted by that Intervener. It shall also decide whether the Intervener shall be permitted to participate in any oral hearing.

#### **Article 18 Intervention procedure**

An application to intervene and any subsequent intervention shall be submitted on a form to be prescribed by the Registrar, in one signed original, which may be electronically transmitted.

#### **Article 19 Application to file friend-of-court brief**

1. A staff association may submit a signed application to file a "friend-of-court" brief on a form to be prescribed by the Registrar, which may be transmitted electronically. The Registrar shall forward a copy of the application to the parties who shall have three days to file any objections.
2. The judge hearing the case may grant the application if he or she considers that the filing of the brief would assist the Dispute Tribunal in its deliberations. The decision will be communicated to the Applicant and the parties by the Registrar.

#### **Article 20 Judgements**

1. Judgements shall be issued in writing in English and shall state the reasons, fact and law, including decisions of the United Nations Dispute Tribunal and Appeals Tribunal on which they are based.

2. Judgements shall be drawn up in English in two originals, and shall be deposited in the archives of UNRWA.
3. The Registrar shall transmit a copy of the judgement to each party. If requested, an Applicant or Respondent shall also receive a copy of the judgement translated into Arabic if the application was submitted in Arabic.
4. The Registrar shall send to the Registrar of the United Nations Dispute Tribunal copies of all the judgements of the UNRWA Dispute Tribunal.

#### **Article 21 Publication of Judgements**

1. The Registrar shall arrange for publication of the judgements of the Dispute Tribunal on the web site of the Tribunal or other appropriate web site after they are delivered.
2. The judgements of the Tribunal shall protect personal data and are available at the Registry of the Tribunal.

#### **Article 22 Conflict of interest**

1. The term "conflict of interest" means any factor which may impair or reasonably give the appearance of impairing the ability of a judge to independently and impartially adjudicate a case.
2. A conflict of interest arises where a case involves any of the following:
  - (a) A person with whom the judge has a personal, familiar or professional relationship;
  - (b) A matter in which the judge has previously served in another capacity, including adviser, counsel, expert or witness; or
  - (c) Any other circumstances which would make it appear to a reasonable and impartial observer that the judge's participation in adjudication of the matter would be inappropriate.

#### **Article 23 Recusal**

1. A judge of the Dispute Tribunal who has, or appears to have, a conflict of interest as defined in Article 22 of these Rules shall recuse himself or herself from the case.
2. A party may make a reasoned request for the recusal of a judge, on the grounds of a conflict of interest, through the Registrar to the UNRWA Internal Justice Committee who, after seeking comments from the judge, shall decide on the request and shall inform the party of the decision in writing.
3. The Registrar shall communicate the decision to the parties concerned.

#### **Article 24 Revision of judgements**

1. Either party may apply to the Dispute Tribunal through the Registrar for a revision of an executable judgement on the basis of the discovery of a decisive fact which was, at the time the judgement was rendered, unknown to the Tribunal and to the party applying for revision, always provided that such

ignorance was not due to negligence.

2. The application for revision must be made within 30 calendar days of the discovery of the fact and within one year of the date of the judgement.

3. The application for revision shall be sent by the Registrar to the other party, who has 30 days after receipt to submit comments to the Registrar.

#### **Article 25 Interpretation of judgements**

Either party may apply to the Dispute Tribunal through the Registrar for an interpretation of the meaning or scope of a judgement provided it is not under consideration by the United Nations Appeals Tribunal. The application for interpretation shall be sent by the Registrar to the other party who shall have 30 days after receipt to submit comments on the application. The Dispute Tribunal will decide whether to admit the application for interpretation and, if so, shall issue its interpretation.

#### **Article 26 Correction of judgements**

Clerical or arithmetical mistakes, or errors arising therein from any accidental slip or omission, may at any time be corrected by the Dispute Tribunal, either on its own motion or on the application of any of the parties.

#### **Article 27 Execution of judgements**

1. The judgement of the Dispute Tribunal shall be binding upon the parties, but is subject to appeal in accordance with the Statute of the United Nations Appeals Tribunal. In the absence of such appeal, it shall be executable following the expiry of the time provided for appeal in the Statute of the Appeals Tribunal.

2. Once a judgement is executable under article 11.3 of the Statute, either party may apply to the Dispute Tribunal for an order for execution of the judgement if the judgement requires execution within a certain period of time and such execution has not been carried out.

#### **Article 28 Titles**

The titles to the Articles in these Rules of Procedure are for reference purposes only and do not constitute an interpretation of the Article concerned.

#### **Article 29 Calculation of time limits**

The time limits prescribed in these Rules:

- (a) Refer to calendar days and shall not include the day of the event from which the period runs;
- (b) Shall include the next working day of the Registry when the last day of the period is not a working day; and
- (c) Shall be deemed to have been met if the documents in question were dispatched by reasonable means on the last day of the period, except if the time limit runs from the time of receipt.

**Article 30 Waiver of time limits**

Subject to the Statute of the Dispute Tribunal, including in particular articles 8.3 and 8.4, the Judge hearing a case may shorten or extend a time limit fixed by these Rules or waive any rule when the interests of justice so require.

**Article 31 Transitional measures**

1. As a transitional measure, the Dispute Tribunal shall be competent to hear and pass judgement on cases filed prior to the establishment of the Dispute Tribunal and in respect of which no report of a joint appeals board has been submitted to the Commissioner-General. Such cases will be deemed to be receivable under article 8 of the Statute of the Dispute Tribunal and article 3 of the present Rules of Procedure.

2. The Commissioner-General shall notify the Tribunal, through the Registrar, of the cases to which the present article and article 2.5 of the Statute apply.

**Article 32 Procedural matters not covered in Rules**

1. All procedural matters which are not expressly provided for in the present Rules shall be dealt with by decision of the Dispute Tribunal upon the particular case, in accordance with the Statute and consistent with the relevant rules of international law and the principles of the rule of law and due process.

2. The Dispute Tribunal or Registrar may issue Practice Directions related to the implementation of these Rules.

**Article 33 Amendment of Rules**

1. The Dispute Tribunal may adopt amendments to these Rules of Procedure which shall be submitted to the Commissioner-General for approval by the Commissioner-General in agreement with the Secretary-General.

2. The amendments shall operate provisionally until approved by the Commissioner-General in agreement with the Secretary-General or until they are amended or withdrawn by the Dispute Tribunal on its own motion or in accordance with a decision of the Commissioner-General in agreement with the Secretary-General.

3. The judge of the Dispute Tribunal may instruct the Registrar to revise any form from time to time in the light of experience, provided such modifications are consistent with the Rules of Procedure.

**Article 34 Entry into force**

The Rules shall enter into force on the date of approval by the Commissioner-General in agreement with the Secretary-General.

## CHAPTER XII

### GENERAL PROVISIONS

**Regulation 12.1:** These Regulations may be supplemented or amended by the Commissioner-General in agreement with the Secretary-General without prejudice to the acquired rights of staff members.

**Regulation 12.2:** These Regulations and the Staff Rules made thereunder shall supersede all previous Staff Regulations and Staff Rules on the same subject without prejudice to the acquired rights of staff members.

**Regulation 12.3:** In these Regulations reference to staff members in the masculine gender shall also apply to women, unless clearly inappropriate from the context.

**Regulation 12.4:** The contents of these regulations include the sections on the “Authority of Regulations”, “Scope and purpose”, and “Applicability.”





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