



**UNITED NATIONS APPEALS TRIBUNAL
TRIBUNAL D'APPEL DES NATIONS UNIES**

**PRACTICE DIRECTION
ON
FILING OF DOCUMENTS AND CASE MANAGEMENT**

The Appeals Tribunal issues this Practice Direction No. 1 under Article 31(2) of the Rules of Procedure of the Appeals Tribunal (Rules). This Practice Direction must be read together with the Statute of the Appeals Tribunal (Statute) and the Rules.

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I. Filing of documents

A. Filing documents with the Registry of the Appeals Tribunal

1. For the purposes of filing documents, the Registry of the Appeals Tribunal (Registry) is open on the working days of the United Nations Headquarters in New York, during office hours from 9.00 to 17.00 hours, Monday to Friday.
2. Documents must be filed with the Registry through the eFiling portal where reasonably practicable. Alternatively, documents may be filed with the Registry by e-mail (e-mail address: UNAT1@un.org) or by hand, post, pouch, or other means (address: 2 United Nations Plaza, Room DC2-2405, New York, NY 10017, United States of America).
3. Documents filed by eFiling or e-mail will be filed according to the date and time of receipt by the Registry, as recorded by the eFiling portal or the Registry's e-mail account. Documents filed by post will be filed according to the date of the postal stamp. Documents received by the Registry through other means will be filed according to the date and time of receipt by the Registry.
4. Documents physically received by the Registry after the close of office hours will be filed on the following working day. Filings electronically transmitted by 11:59 pm New York time shall be deemed as filed on that calendar day.

B. Format and content of documents filed with the Registry

5. Documents must be filed using the standard forms issued by the Appeals Tribunal available either through the website of the Appeals Tribunal or, upon request, from the Registry.
6. Parties must comply with the page limits, if any, prescribed by the standard forms issued by the Appeals Tribunal.
7. All filings must be submitted on US letter or A4 paper. The maximum word count for each brief, including headings, footnotes and quotations, shall be 6,750 words for a 15-page brief, 2,250 words for a five-page brief, and 900 words for a two-page brief. Margins shall be set at least one inch on all four sides. The typeface shall be set at 12 point with 1.5 line spacing. The typeface for footnotes shall be set at 10 point with single line spacing.

8. Briefs must contain numbered paragraphs. Each page of all documents filed must be numbered consecutively at its foot. The relevant form must contain a correct and complete index which succinctly describes each annexed document and sets out the pages of the Annex at which it can be found.
9. Filed documents must have page numbering and contain numbered paragraphs. Each annex to a filed document must have page numbering.
10. A party must annex to the filed document a copy of any relevant order issued by the Appeals Tribunal. (For example, an appellant must annex to the appeal form an order granting an extension of time to file the appeal.)
11. The appellant must annex to the appeal form a copy of the judgment, order or contested decision under appeal.
12. When the parties cite a document or source in a case filed pursuant to Articles 2(9) and 2(10) of the Statute of the Appeals Tribunal (i.e., against the United Nations Joint Staff Pension Fund or a specialized agency that has accepted the jurisdiction of the Appeals Tribunal), they are required to annex that document or source to their submissions. For these purposes, “document or source” includes, but is not limited to, any and all internal rules, regulations and other administrative issuances cited as well as any judgment issued by a tribunal (except for those issued by the Appeals Tribunal and the United Nations Dispute Tribunal).
- 12^{bis}. If the Registrar requires a party to conform a filing to the relevant formal requirements, he or she shall receive 10 days to make the corrections. This does not cut short any time limit specified in the Statute and Rules of Procedure.

C. Transmittal of documents by the Registry

13. A party will be treated as having received a document transmitted by the Registry on the date the document is sent to the party through the eFiling portal or by e-mail. A document sent after the close of the Registry’s office hours will be treated as being received on the next working day of the Registry.
14. If it is not possible for the Registry to transmit a document to a party through the eFiling portal or by e-mail, the party will be treated as having received the document on the date of physical receipt of the document.

D. Access to documents filed with the Registry

1. Access by the parties to a case to filed documents

15. A party who seeks to file a document with restrictions on whether or not the other party is notified of the filing or whether or not the whole or part of the document is disclosed to the other party, must specify the reasons for filing the document on this basis.

16. A party may request an order from the Appeals Tribunal regarding notification of a filing to the other party or whether the whole or part of a filed document must be disclosed to a party.

2. Public access to filed documents

17. Documents filed with the Registry are confidential and are not available to the public.

18. Any person may submit a motion to the Appeals Tribunal to obtain access to documents filed in a case to which he or she is not a party.

E. Communication with the Appeals Tribunal

19. No party or representative may contact a Judge directly. All correspondence concerning an appeal must be directed to the Registry.

20. The Registry will communicate with the parties through their representatives or directly with a party, where the party is self-represented.

F. Manifestly inadmissible filings

21. The Registrar shall have the power to reject filings which are manifestly inadmissible.

22. The Registrar's decision may be challenged by the filing with the Registrar of a motion addressed to the President within five days of receipt of the decision. Such motion will be heard on an ex parte basis (that is, without notice to the other party).

II. Case management

A. Motions

1. General

23. Motions seeking orders from the Appeals Tribunal may be heard by the President, the Judge assigned by the President to hear motions (Duty Judge), or a panel of Judges.

24. In accordance with the Rules of Procedure, the President, Duty Judge or panel of Judges may give directions regarding service of the motion on the other party, the time limit for filing a response to the motion, and any other necessary directions.

25. Except where otherwise ordered, motions will be heard with notice to the other party.

2. Request for suspension, waiver or extension of time limits

26. A motion requesting suspension, waiver or extension of a time limit will be heard by the President or the Duty Judge on an ex parte basis (that is, without notice to the other party).

27. An order granting the suspension, waiver or extension of a time limit may be issued by the Appeals Tribunal if there are exceptional reasons justifying the order. The order will be sent by the Registry to both parties.

3. Request to file additional pleadings

28. A motion requesting the permission of the Appeals Tribunal to file a pleading after the answer to the appeal or, where applicable, the answer to the cross-appeal will be heard by the President or the Duty Judge.

29. A motion to file an additional pleading may be granted by the Appeals Tribunal if there are exceptional circumstances justifying the motion.

4. Request for interim relief

30. A motion requesting interim relief under Article 9(4) of the Statute of the Appeals Tribunal will be sent to the President for directions on providing notice of the motion to the other party and, if applicable, the time limit for filing a response to the motion.

B. Orders

31. All orders of the Appeals Tribunal will be published on the website of the Office of Administration of Justice. The published orders will normally include the names of the parties.

C. Anonymity

32. A person who has been granted anonymity by the UNDT or the neutral first instance process of an entity accepting UNAT's jurisdiction need not request it at UNAT as such order will remain in effect, unless there is a challenge to such anonymity on appeal and UNAT has given its judgment on the issue. A person who wishes anonymity before UNAT

for the first time may file a motion to request anonymity in exceptional circumstances and for good cause.

D. Oral hearings

33. An oral hearing in a case will be scheduled by a scheduling order.

E. Court etiquette

34. The following rules of etiquette must be followed by representatives of parties, parties and persons attending an oral hearing before the Appeals Tribunal.

34.1 Representatives must wear formal business attire when appearing before the Appeals Tribunal.

34.2 When the panel of Judges enters the courtroom, all persons present must stand.

34.3 A representative must stand or ask for leave to remain seated when addressing the panel and when addressed by a Judge. A representative must sit when the panel is being addressed by another representative or when that other representative is being addressed by a Judge. The panel must be addressed as “Your Honours”.

34.4 When the hearing is adjourned and the panel rises to leave the courtroom, all persons present must stand. Any person who enters or leaves the courtroom during a hearing must do so in manner which does not interrupt the hearing.

34.5 Mobile/cell phones must be turned off and other electronic devices must not disrupt the hearing.

(Approved by the Appeals Tribunal in the plenary session held on 10 March 2011; Amended by the Appeals Tribunal in the plenary sessions held on the 15 March 2012, 2 April 2014, 26 June 2014, 13 July 2017, 28 March 2019, 28 October 2021, 30 June 2022, and 23 March 2023.)