



UNITED NATIONS APPEALS TRIBUNAL TRIBUNAL D'APPEL DES NATIONS UNIES

Case No. 2012-381

Pio
(Appellant)

v.

United Nations Joint Staff Pension Board
(Respondent)

ORDER No. 123 (2013)

1. On 3 October 2012, Mr. Antonio Pio filed an appeal against a decision of the Standing Committee of the United Nations Joint Staff Pension Board dated 23 July 2012. On 30 November 2012, the Chief Executive Officer of the United Nations Joint Staff Pension Fund (UNJSPF) filed his answer.

2. On 21 February 2013, Mr. Pio filed a motion for admission of further documents, requesting that the United Nations Appeals Tribunal (Appeals Tribunal) take into consideration a press release issued by the International Monetary Fund on 1 February 2013 and commentary thereon, as well as updated inflation data. On 25 February 2013, the Chief Executive Officer of the UNJSPF responded, objecting to the motion.

3. Article 10 (1) of the UNAT Rules of Procedure, entitled “Additional documentary evidence, including written testimony”, provides:

1. A party may seek to submit to the Appeals Tribunal, with an appeal or an answer, documentary evidence, including written testimony, in addition to that contained in the written record. In exceptional circumstances and where the Appeals Tribunal determines that the facts are likely to be established with such additional documentary evidence, it may receive the additional evidence from a party. On its own volition, the Tribunal may order the production of evidence if it is in the interest of justice and the efficient and expeditious

resolution of the case, provided that the Appeals Tribunal shall not receive additional written evidence if it was known to the party seeking to submit the evidence and should have been presented to the Dispute Tribunal.

In view of the fact that the authorities Mr. Pio seeks to enter post-date his appeal to the Appeals Tribunal and may prove relevant to his case, I have decided to admit them. The Appeals Tribunal will decide upon their actual relevance when it considers the case.

4. For the foregoing reasons, I grant Mr. Pio's motion and direct the Registrar to add it, together with the documents annexed, as part of the case file.

Original and Authoritative Version: English

Dated 6th day of March 2013 in Montevideo, Uruguay.

(Signed)
Judge Luis Maria Simón, President

Entered in the Register on this 7th day of March 2013
in New York, United States.

(Signed)
Weicheng Lin, Registrar