



UNITED NATIONS APPEALS TRIBUNAL TRIBUNAL D'APPEL DES NATIONS UNIES

Case No. 2014-603

Tintukasiri *et al.*

(Appellants)

v.

Secretary-General of the United Nations

(Respondent)

ORDER No. 199 (2014)

1. On 5 March 2014, the United Nations Dispute Tribunal (UNDT or Dispute Tribunal) issued Judgment No. UNDT/2014/026, in which it rejected the applications of staff members Tintukasiri *et al.* as not receivable *ratione materiae*. The applicants were challenging the promulgation of revised salary scales for the General Service and National Officer staff in Bangkok based on the results of a salary survey conducted in 2011. The applicants appealed the UNDT Judgment to the United Nations Appeals Tribunal (Appeals Tribunal) on 30 April 2014, and the Secretary-General answered on 30 June 2014.

2. On 24 June 2014, the Staff Association of the Economic and Social Commission for Asia and the Pacific (ESCAP) and the Staff Association Committee of UNDP/UNFPA/UNOPS/UN Women jointly submitted an application to file a friend-of-the-court brief to provide evidence and arguments in support of the applicants' appeal, to bring a number of issues that had arisen during the salary survey to the attention of the Appeals Tribunal, and to present the views of the Staff Associations as "important participant[s] in the survey process and spokesperson[s] for staff members".

3. On 16 July 2014, the Secretary-General filed objections to the application to file a friend-of-the-court brief. The Secretary-General notes that receivability of the staff members' applications was the sole issue addressed by the Dispute Tribunal, and contends that the proposed friend-of-the-court brief will not assist the Appeals Tribunal in determining the legality of the Dispute Tribunal's ruling on receivability.

4. Article 17(2) of the Appeals Tribunal Rules of Procedure provides that the Appeals Tribunal may allow the filing of a friend-of-the-court brief when it “would assist the Appeals Tribunal in its deliberations”. The Appeals Tribunal denies the present application to file a friend-of-the-court brief; it would not assist the Tribunal in determining whether the Dispute Tribunal erred in finding the staff members’ applications were not receivable.

IT IS HEREBY ORDERED that the application of the Staff Association of ESCAP and the Staff Association Committee of UNDP/UNFPA/UNOPS/UN Women to file a friend-of-the-court brief IS DENIED.

Original and Authoritative Version: English

Dated this 14th day of October 2014 in
New York, United States

(Signed)
Judge Rosalyn Chapman

Entered in the Register on this 14th day of
October 2014 in New York, United States.

(Signed)
Weicheng Lin, Registrar