



UNITED NATIONS APPEALS TRIBUNAL TRIBUNAL D'APPEL DES NATIONS UNIES

Case No. 2017-1093

**Rockcliffe
(Appellant)**

v.

**United Nations Joint Staff Pension Board
(Respondent)**

Order No. 288 (2017)

1. This is sequel to Order No. 287, in which the President grants Ms. Rockcliffe's motion for a three-judge panel to consider her motion for interim measures of 4 July 2017.

2. The issue before us is whether an appellant from the Fund can invoke Article 9(4) of the Statute of the Appeals Tribunal (Statute) for interim relief during the proceedings before the Appeals Tribunal. Our answer is in the negative, for the same reasons as in Order No. 284. The plain language of Article 9(4) of the Statute leaves us with no doubt that the Appeals Tribunal may entertain a motion for interim measures filed by a party to a judgment issued by the United Nations Dispute Tribunal only. The Appeals Tribunal has no competence to review such a motion filed by an appellant from the Pension Fund, or for that matter, any specialized agency that has accepted our jurisdiction. We wish to make it clear that this ruling is without prejudice to the hearing and determination on the merits of the appeals which have been filed with the Appeals Tribunal by Ms. Rockcliffe and Mr. Faye.

IT IS HEREBY ORDERED that Ms. Rockcliffe's motion of 4 July 2017
IS DISMISSED.

Original and Authoritative Version: English

Dated 14th day of July 2017 in Vienna, Austria.

(Signed)
Judge Deborah Thomas-Felix,
President
Judge Richard Lussick,
1st Vice-President
Judge Rosalyn Chapman,
2nd Vice-President

Entered in the Register on this 14th day of
July 2017 in Vienna, Austria.

(Signed)
Weicheng Lin, Registrar