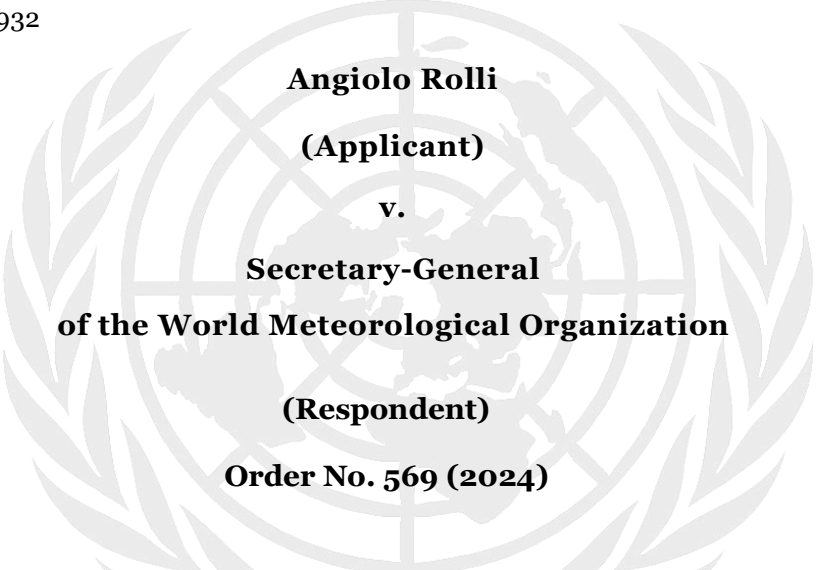




# UNITED NATIONS APPEALS TRIBUNAL TRIBUNAL D'APPEL DES NATIONS UNIES

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Case No. 2024-1932



**Angiolo Rolli**  
**(Applicant)**  
v.  
**Secretary-General**  
**of the World Meteorological Organization**  
**(Respondent)**  
**Order No. 569 (2024)**

1. On 11 May 2023, the United Nations Appeals Tribunal (UNAT or Appeals Tribunal) issued Judgment No. 2023-UNAT-1346 in the case of *Angiolo Rolli v. Secretary-General of the World Meteorological Organization* by which it granted Mr. Rolli's appeal of Judgment No. UNDT/2022/025 on Relief in part and varied the remedies granted by the United Nations Dispute Tribunal (UNDT).
2. On 7 June 2024, Mr. Rolli filed an application for execution and interpretation of the UNAT Judgment. On 17 June 2024, the Secretary-General filed comments on the application.
3. On 30 June 2024, Mr. Rolli submitted a "Motion for Additional Pleadings".
4. Mr. Rolli submits that the Motion is necessitated by exceptional circumstances, particularly the significant loss of his pension benefit and the corresponding consequences for his standard of living as well as the "need for clarity" with regard to the prior UNAT Judgment. He contends that it is crucial to address the "misrepresentation of facts",<sup>1</sup> "clarify procedural

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<sup>1</sup> Mr. Rolli states that the Secretary-General's comments on the application contain an error of fact and requests an opportunity to demonstrate that the Organization's refusal to take the necessary steps to reinstate his pension entitlements was not an indication of ineligibility but a failure to fully comply with requirement that he be placed in a position he would have been in without the unlawful act of the Organization.

requirements”,<sup>2</sup> and “ensure comprehensive restoration” of his entitlements in line with established principles and jurisprudence. He argues that his efforts to resolve the issue informally, the ambiguity in the remedy intended by the UNAT in its prior Judgment, and the exceptional circumstance of the case, all justify granting this Motion.

5. On 5 July 2024, the Secretary-General filed a response to the Motion, requesting that the Appeals Tribunal deny it on the grounds of Mr. Rolli’s failure to provide any exceptional circumstances to warrant leave to file the additional pleadings.

6. The Secretary-General submits that Mr. Rolli’s submissions are simply a reiteration of his previous arguments and an attempt to respond to the Secretary-General’s submissions. In addition, the Secretary-General maintains that Mr. Rolli’s unlawful acquisition of confidential e-mail addresses of Executive Council representatives and his subsequent communication to them breached the Code of Conduct and was intended to embarrass the Secretary-General through the exploitation of these proceedings.

7. Pursuant to Article 31(1) of the UNAT Rules of Procedure and Section II.A.3 of the UNAT Practice Direction No. 1, a motion to file an additional pleading may be granted if there are “exceptional circumstances justifying the motion”.

8. Article 2(5) of the UNAT Statute reads: “In exceptional circumstances, and where the Appeals Tribunal determines that the facts are likely to be established with documentary evidence, including written testimony, it may receive such additional evidence if that is in the interest of justice and the efficient and expeditious resolution of the proceedings.”

9. The Appeals Tribunal has consistently held that, where an additional pleading merely consists of supplementary arguments to those already submitted in an appeal or answer,

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<sup>2</sup> Referring to a waiver of the time limit to file the application for execution and interpretation allowed in Article 7(3) of the UNAT Statute, Mr. Rolli wishes to provide “additional documentation” demonstrating his “good faith efforts” to seek full compensation, including enquiries and negotiations with both WMO and the United Nations Joint Staff Pension Fund (UNJSPF) that took place between the issuance of the prior UNAT Judgment and the filing of his application. Mr. Rolli also wishes to contest the Secretary-General’s claim that he has breached the Code of Conduct for litigants in person and to make further submissions on this issue and demonstrate that his communication with the Secretary-General and the WMO Executive Council prior to commencement of the present proceedings was not a breach of the Code of Conduct.

there are no “exceptional circumstances’ which would allow the admission of the additional argument”.<sup>3</sup>

10. I note that in addition to seeking leave to file additional pleadings, in essence, Mr. Rolli also appears to be seeking leave to file additional evidence.

11. I find that there are no exceptional circumstances present in this case to justify admission of the additional pleadings or evidence. The additional pleadings are in essence submissions that repeat and supplement Mr. Rolli’s existing arguments and attempt to respond to the Secretary-General’s comments. His stated grounds for the Motion do not constitute exceptional circumstances justifying the admission of the additional pleadings or evidence. There is nothing to suggest that Mr. Rolli could not have provided these submissions and/or evidence in his application for execution and interpretation.

12. Therefore, I find that it is not in the interest of justice and of the efficient and expeditious resolution of the proceeding to grant the Motion for Additional Pleadings (and Evidence).

13. For these reasons, the Motion is denied.

**IT IS HEREBY ORDERED** that Mr. Rolli’s Motion of 30 June 2024 is **DENIED**.

Original and Authoritative Version: English

Decision dated this 16<sup>th</sup> day of July 2024  
in Beijing, China.

*(Signed)*  
Judge Gao Xiaoli,  
President

Order published and entered in the Register on this  
16<sup>th</sup> day of July 2024 in New York, United States.

*(Signed)*  
Juliet E. Johnson,  
Registrar

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<sup>3</sup> *Kazazi v. Secretary-General of the United Nations*, UNAT Order No. 533 (2023), para. 9; *McCloskey v. Secretary-General of the United Nations*, UNAT Order No. 173 (2014), para. 6.