

STATUTE OF THE ADMINISTRATIVE TRIBUNAL

Article VII

Arbitration, Conciliation, Mediation, and Settlements

1. Except as otherwise stated below, the Tribunal shall recognize the finality of all settlement agreements, releases, agreements to arbitrate, and agreements to seek conciliation or mediation, and may not reopen, review, or adjudicate the issues finally resolved by those agreements or procedures, absent the express consent of all parties thereto.
2. Notwithstanding the above, the Tribunal may vacate and remand an otherwise binding arbitration decision and award, in whole or in part, where a party proves by clear and convincing evidence that:
 - a) The arbitration award exceeds the maximum indemnities that may be imposed by the Tribunal under its Statute or the limit otherwise agreed to by the parties;
 - b) The award was procured through corruption or misconduct of the arbitrators;
 - c) The arbitrators failed to follow the material provisions of the rules of procedure, if any, agreed to by the parties, or otherwise exceeded their authority; and where the Tribunal decides not to vacate and/or remand the award, it shall confirm it.
3. Also notwithstanding paragraph 1 above, the Tribunal may, at the request of either party, correct an otherwise binding arbitration decision and award where it is clear that:
 - a) There was an evident miscalculation of figures or an evident mistake in the description of any person, thing, property, or amount referred to in the award;
 - b) The arbitrators have awarded upon a matter not submitted to them and the award may be corrected without affecting the merits of the decision on the issues submitted; and where the Tribunal decides not to correct the award, it shall confirm it.
4. In disputes over the classification level of a post, the President of the Tribunal shall, at the request of a party or at his own discretion, request an audit of the post in question from a qualified independent job classification expert selected in accordance with the Rules of Procedure, and, absent clear and convincing evidence of corruption or misconduct on the part of the classification expert, the Tribunal shall confirm the results of the audit as final and binding on the parties.

5. The Tribunal may recommend that the parties to a claim over which it otherwise has jurisdiction submit to binding or non-binding arbitration, conciliation, or mediation. If the parties accept that recommendation, the Tribunal shall suspend further proceedings before the Tribunal in that matter pending the conclusion of the arbitration, conciliation, or mediation process recommended. No statements made by a party in the binding or non-binding arbitration, conciliation, or mediation proceedings shall be admissible against a party in the proceedings before the Tribunal on the matter absent that party's written consent.