

Appendix 1 to Annex IX

Rules of procedure of the Administrative Tribunal

Adopted by the Administrative Tribunal.

Chapter I

General provisions

Rule 1 General provisions

1. These Rules of Procedure (hereinafter "Rules") shall apply to the Administrative Tribunal (hereinafter "Tribunal") of the North Atlantic Treaty Organization (hereinafter "NATO").
2. These Rules shall be subject to the provisions of the NATO Civilian Personnel Regulations, in particular Annex IX thereto (hereinafter "Annex IX").
3. These Rules are established by the Tribunal in accordance with Article 6.2.4 of Annex IX, and will apply to all appeals submitted to it. They may be amended by the Tribunal.
4. The Tribunal or, when the Tribunal is not in session, the President may deal with any matter not expressly provided for in the present Rules.

Rule 2 Organization of the Tribunal

1. The Tribunal is composed of the President of the Tribunal (hereinafter "the President"), the Vice-President of the Tribunal (hereinafter "the Vice-President"), and three other members.
- 2.1 The Vice-President is elected by majority vote of the President and other members of the Tribunal in a secret ballot. He/she replaces the President, if the latter is recused or is otherwise unable to perform his/her functions, and acts with the President's full authority at those occasions.
- 2.2 All references to the President in these Rules shall apply fully and in the same

manner to the Vice President, *mutatis mutandis*, whenever the Vice President replaces the President.

3. The Tribunal shall seek to conduct its affairs so that the President and all of its other members meet together at least once a year.
4. Generally a Panel consisting of the President and two other members of the Tribunal shall consider an appeal or a group of appeals. Decisions of such Panels shall be deemed to have been taken by the Tribunal.
5. The President shall assign each of the other members to multiple Panels so that each member serves on a Panel with each of the other three members. The President shall assign cases to Panels with due consideration to the principle of rotation and to equitable distribution of workload.
6. If deemed appropriate by the President, an appeal or a group of appeals may be considered by the full Tribunal.
7. In each case the President, or another member of the Panel designated by the President, shall serve as judge-rapporteur, *inter alia*, for purposes of preparing a draft judgment for consideration and approval by the Panel.
8. The seat of the Tribunal shall be at NATO Headquarters in Brussels, Belgium. The President may decide to hold one or more sittings at a place other than at the Tribunal's seat, in accordance with Article 6.6.2 of Annex IX.

Rule 3 Official languages

The official languages of the Tribunal shall be English and French.

Rule 4 President

The President shall direct the work of the Tribunal. In particular the President shall:

- (a) perform the functions entrusted to the President by Annex IX and by these Rules;
- (b) preside over consideration of cases by the Tribunal;
- (c) make such orders as may be required for the conduct of the proceedings;
- (d) convene the Tribunal and fix its order of business;
- (e) direct the Registrar of the Tribunal in the performance of the Registrar's functions;
- (f) represent the Tribunal in its administrative and related matters;
- (g) when the Tribunal is not in session, deal with any matter not expressly provided in the present Rules; and
- (h) prepare an annual report on the activities of the Tribunal.

Rule 5 Registrar

Under the authority of the President, the Registrar of the Tribunal shall:

- (a) receive appeals instituting proceedings and related documentation for each case before the Tribunal;
- (b) be responsible for transmitting all documents and making all notifications required in connection with each case;
- (c) maintain for each case a dossier recording all actions taken in connection with the case, the dates thereof, and the dates on which any document or notification forming part of the procedure is received in or dispatched from the Registrar's office;
- (d) attend hearings and meetings of the Tribunal;
- (e) keep minutes of these hearings and meetings when instructed by the President;
- (f) have custody of the archives of the Tribunal;
- (g) expeditiously perform the functions entrusted to the Registrar by Annex IX and these Rules and carry out further tasks as assigned by the President; and
- (h) issue practice directions relating to the lodging of written pleadings and to preparation for and conduct of hearings.

Rule 6 Recusal

1. The President or other members of the Tribunal shall recuse themselves:
 - (a) in cases involving persons with whom the member has a personal, familial or professional relationship;
 - (b) in cases concerning which the member has previously been called upon in another capacity, including as advisor, representative, expert or witness; or
 - (c) if there exist any other circumstances that would make the member's participation inappropriate.
2. Any recused member shall immediately inform the President of the Tribunal, who shall name a third member to serve on the Panel concerned in accordance with Article 6.1.4 of Annex IX. If the President is recused, the Vice-President shall preside over the Panel. If the Vice-President was already assigned to that Panel, he/she shall name a third member to serve on the Panel in accordance with Article 6.1.4 of Annex IX.

Rule 7 Representation

Each party may at any time choose to be assisted by counsel or other representatives, whose designation shall be notified to the Registrar.

Rule 8 Sessions

The President shall, in consultation with the other members of the Tribunal and taking into account the caseload, fix the dates and agendas of the Tribunal's sessions.

Chapter II**Written Procedure****Rule 9 Appeal**

1. An appeal shall be filed by the appellant or the appellant's duly authorized counsel or other representatives.
2. An appeal instituting proceedings shall be submitted to the Tribunal through the Registrar. Each appeal shall contain:
 - (a) the name and status of the appellant;
 - (b) the name of the appellant's counsel or other representative, if any;
 - (c) the decision being challenged, and the Head of NATO Body responsible for the decision;
 - (d) as applicable, the complaints and channels of administrative review that the appellant has pursued in accordance with the relevant provisions of Annex IX, and the results thereof;
 - (e) the legal grounds on which the appeal is based;
 - (f) a statement of the supporting facts and any supporting evidence and documents, including, where appropriate, statements of any supporting witness or witnesses;
 - (g) the relief or remedy being sought, including (i) the amount of compensation, if any, claimed by the appellant (ii) the specific performance of any obligation being requested, and (iii) costs as the Tribunal may award;
 - (h) any request for production of documents.
- 3.1 The appeal, the supporting evidence, and any other documents being produced that are essential for the appeal must be submitted in one of the official languages of the Tribunal.
- 3.2 If such an essential document is not in one of the official languages, the appellant shall attach a certified translation into one of these official languages. Any translations into the other of these languages shall, if necessary, be prepared under the responsibility of the Registrar.
- 3.3 The appellant shall include as attachments unaltered copies of relevant portions of all documents cited in the appeal. The appellant shall also attach a complete copy of any report and recommendation of the Complaints Committee

- in the matter. The pages of all documents submitted shall be consecutively numbered.
4. The appeal shall be signed on the last page by the appellant or any counsel or other representative designated in accordance with Paragraph 1 above. In the event of the appellant's incapacity, the required signature shall be furnished by the appellant's legal representative.
 5. The date of filing shall be considered the first of the following dates:
 - a) the date on which appellant has submitted an electronic copy of the appeal, together with its complete enclosures, using the Tribunal's e-submission. A complete paper copy of the appeal shall be dispatched by mail to the Tribunal no later than one week following submission on the portal;
 - b) the date on which the Registrar has received an electronic copy of the appeal, and its complete enclosures, at mailbox.tribunal@hq.nato.int. A complete paper copy of the appeal shall be dispatched by mail to the Tribunal no later than one week following submission of the electronic copy; or
 - c) the date on which the Registrar has received by mail one paper copy, and its complete enclosures, of the appeal. However, a complete electronic version of the appeal shall be either deposited using the e-submission tool or submitted by e-mail to the Registrar at mailbox.tribunal@hq.nato.int no later than one week following receipt of the paper copy.
 6. If following review of the appeal, the Registrar determines that the appeal contains minor defects or omissions, the Registrar shall advise the appellant and prescribe a reasonable period of time, not to exceed 15 days, to correct the defects or omissions.
 7. If corrected within the prescribed time, the appeal shall be considered filed on the original date. If corrections are not made in the prescribed time, but are made at a later date, the filing date shall be the later date on which the corrected document is filed.
 8. Upon receipt of the appeal, or following correction of any minor defects or omissions in accordance with the preceding paragraphs, the Registrar shall transmit the appeal to the President and communicate a copy to the Head of NATO Body concerned (hereinafter "HONB") and, if the President deems it appropriate, to the Office of Legal Affairs of the International Staff (hereinafter "OLA").
 9. In exceptional cases and in accordance with Article 6.6.4 of Article IX, after giving notice to the parties, the Tribunal may depart from any applicable time limits. If the Tribunal is not in session, the President may take such action after consultation, as appropriate, with the other members of the Tribunal or of a Panel.
 10. The Registrar shall include the appeal, with the identity of the claimant redacted, on a list of pending appeals on the Tribunal's website.

Rule 10 Summary dismissal

1. Where the President considers that an appeal is clearly inadmissible, outside the Tribunal's jurisdiction, or devoid of merit, he/she may instruct the Registrar to take no further action. Such an instruction by the President shall suspend all procedural time limits.
2. After notifying the parties and considering any additional written views of the appellant, and if the Tribunal considers that the appeal is clearly inadmissible, outside its jurisdiction, or devoid of merit, the Tribunal shall dismiss the appeal, stating the grounds therefor.
3. If the Tribunal considers the appeal admissible, within its jurisdiction, or not manifestly devoid of merit, the parties will be notified and the case will proceed in the normal way.

Rule 11 Anonymity

1. An appellant may request at any time prior to the judgment that his/her name or other information not be made public by the Tribunal.
2. The HONB may request in the answer that the name of any other individual not be made public by the Tribunal. An intervener may request anonymity in the application for intervention.
3. The parties shall be given an opportunity to present their views to the Tribunal in response to a request for anonymity.
4. The Tribunal shall grant a request for anonymity if good cause has been shown for protecting the privacy of an individual from public disclosure. However, a grant of anonymity does not extend to the parties or to the oral procedure.

Rule 12 Answer

1. After an appeal has been transmitted by the Registrar to the HONB, the HONB shall answer the appeal within 60 days of receipt unless, upon request by either party with notice to both, the President sets another time limit in accordance with Rule 9, Paragraph 9. The HONB's answer shall be submitted to the Tribunal and to the appellant through the Registrar. The HONB shall attach the relevant portions of all documents referred to in the answer in accordance with these Rules, unless the document has been attached to the appeal, in which case reference should be made to the page number. The pages of all documents submitted shall be consecutively numbered.
2. The answer shall be signed on the last page by the HONB or his representative.
3. The date of filing shall be considered the first of the following dates:
 - a) the date on which respondent has submitted an electronic copy of the answer, together with its complete enclosures, using the Tribunal's e-submission. A complete paper copy of the answer shall be dispatched by mail to the Tribunal no later than one week following submission on the portal;

- b) the date on which the Registrar has received an electronic copy of the answer, and its complete enclosures, at mailbox.tribunal@hq.nato.int. A complete paper copy of the answer shall be dispatched by mail to the Tribunal no later than one week following submission of the electronic copy; or
 - c) the date on which the Registrar has received by mail one paper copy, and its complete enclosures, of the answer. However, a complete electronic version of the answer shall be either deposited using the e-submission tool or submitted by e-mail to the Registrar at mailbox.tribunal@hq.nato.int no later than one week following receipt of the paper copy.
- 4. Upon ascertaining that the formal requirements of this Rule have been met, the Registrar shall transmit a copy of the HONB's answer to the President, to the appellant and, if the President deems it appropriate, to OLA. If the formal requirements have not been met, Rule 9, Paragraph 6 shall apply *mutatis mutandis* to the answer.
 - 5. The HONB shall include in the answer a response to any requests for production of documents or anonymity included by the appellant in the appeal.

Rule 13 Transmission of a case to a Panel

- 1. After the Registrar receives both the appeal and the answer, the President, shall assign the case to a Panel in accordance with Rule 2, Paragraph 6, and the Registrar shall transmit the appeal and answer to the members of the Panel. Thereafter, the Registrar shall transmit the reply and rejoinder to the Panel as each is received.
- 2. The Registrar shall inform the parties of the composition of the Panel. Each party may, in accordance with Article 6.1.5 of Annex IX, within 15 days ask for a change in the composition of the Panel constituted in a case on account of presumed partiality. The two remaining members of the Panel shall take a decision on the request in the absence of the member concerned, and if they disagree, the longest serving of the two shall decide. No further requests for a change in composition may be submitted unless on the basis of new information or developments.
- 3. The Tribunal or, when the Tribunal is not in session, the President may decide to join cases for the remainder of the proceedings and for the purpose of a single judgment.

Rule 14 Reply

- 1. The appellant may file with the Registrar a reply to the answer within 30 days from the date on which he/she received the answer, unless, upon request, the President sets another time limit in accordance with Rule 9, Paragraph 9.
- 2. The relevant portion of any document referred to in the reply shall be attached in accordance with the provisions of Rule 9, unless the document has been attached to an earlier pleading in which case reference should be made to the page number. The pages of all documents submitted shall be consecutively numbered.

3. The requirements of Rule 9, Paragraph 4 shall apply to the reply.
4. The date of filing shall be considered the first of the following dates:
 - a) the date on which appellant has submitted an electronic copy of the reply, together with its complete enclosures, using the Tribunal's e-submission. A complete paper copy of the reply shall be dispatched by mail to the Tribunal no later than one week following submission on the portal;
 - b) the date on which the Registrar has received an electronic copy of the reply, and its complete enclosures, at mailbox.tribunal@hq.nato.int. A complete paper copy of the reply shall be dispatched by mail to the Tribunal no later than one week following submission of the electronic copy; or
 - c) the date on which the Registrar has received by mail one paper copy, and its complete enclosures, of the reply. However, a complete electronic version of the reply shall be either deposited using the e-submission tool or submitted by e-mail to the Registrar at mailbox.tribunal@hq.nato.int no later than one week following receipt of the paper copy.
5. Upon ascertaining that the formal requirements of this Rule have been met, the Registrar shall transmit a copy of the reply to the President and the other members of the Panel, to the HONB and, if the President deems it appropriate, to OLA. If the formal requirements have not been met, Rule 9, Paragraph 6 shall apply *mutatis mutandis* to the reply.

Rule 15 Rejoinder

1. The HONB may file with the Registrar a rejoinder to the reply within 30 days from the date on which the reply is received from the Registrar, unless, upon request, the President sets another time limit in accordance with Rule 9, Paragraph 9.
2. The relevant portion of any document referred to in the rejoinder shall be attached in accordance with the provisions of Rule 9, unless the document has been attached to an earlier pleading in which case reference should be made to the page number. The pages of all documents submitted shall be consecutively numbered.
3. The requirements of Rule 12, Paragraph 2, shall apply to the rejoinder.
4. The date of filing shall be considered the first of the following dates:
 - a) the date on which respondent has submitted an electronic copy of the rejoinder, together with its complete enclosures, using the Tribunal's e-submission. A complete paper copy of the rejoinder shall be dispatched by mail to the Tribunal no later than one week following submission on the portal;
 - b) the date on which the Registrar has received an electronic copy of the rejoinder, and its complete enclosures, at mailbox.tribunal@hq.nato.int. A complete paper copy of the rejoinder shall be dispatched by mail

to the Tribunal no later than one week following submission of the electronic copy; or

- c) the date on which the Registrar has received by mail one paper copy, and its complete enclosures, of the rejoinder. However, a complete electronic version of the rejoinder shall be either deposited using the e-submission tool or submitted by e-mail to the Registrar at mailbox.tribunal@hq.nato.int no later than one week following receipt of the paper copy.
5. Upon ascertaining that the formal requirements of this Rule have been met, the Registrar shall transmit a copy of the HONB's rejoinder to the President of the Tribunal and the other members of the Panel, to the appellant and, if the President deems it appropriate, to OLA. If the formal requirements have not been met, Rule 9, Paragraph 6, shall apply *mutatis mutandis* to the rejoinder.
6. Without prejudice to Rule 16 below, after the rejoinder has been filed, no further pleadings shall be received.
7. The HONB shall include in the rejoinder a response to any requests for costs or other matters that the appellant has included in the reply.

Rule 16 Additional pleadings

1. If necessary in exceptional cases, the President may, *sua sponte*, or at the request of a party, call upon the parties to submit additional written statements or additional documents and shall fix the time limit within which these shall be submitted. The additional documents shall be furnished in an unaltered copy and accompanied by any necessary certified translations.
2. The requirements of Rule 9, Paragraphs 4 and 5, or Rule 12, Paragraphs 2 and 3, as the case may be, shall apply to any written statements and additional documents.
3. Upon ascertaining that the formal requirements of this Rule have been met, the Registrar shall transmit a copy of any additional written statements or additional documents to the President of the Tribunal and the other members of the Panel, to the parties and, if the President deems it appropriate, to OLA. If the formal requirements have not been met, Rule 9, Paragraph 6 shall apply *mutatis mutandis*.

Rule 17 Withdrawal

Should the appellant withdraw the appeal, the President may accept the withdrawal without convening the Tribunal or a Panel for this purpose, provided the withdrawal is unconditional.

Chapter III

Additional Participants

Rule 18 Third parties

If the President believes that a third party should be invited to participate in the proceedings, the President shall give the parties the opportunity to make comments on the third party's possible participation. After considering any such comments, the President may decide to direct that the appeal be communicated to the third party and invite the third party to participate in the proceedings. Should the third party accept the invitation, the President shall fix the time limit within which such third party shall submit comments. Should the third party accept the invitation and submit comments within the time limit fixed, he or she shall become a party to the proceedings and have the same rights and obligations, as the appellant and the HONB. The third party's comments shall be communicated by the Registrar to the Panel, to the parties, and, if the President deems it appropriate, to OLA, following the same proceedings as for the initial parties.

Rule 19 Office of the Legal Adviser

In accordance with Article 6.7.8 of Annex IX, OLA shall, at the request of the President, or may, on its own initiative, submit written observations within a week after receiving the rejoinder or other final pleadings. Any such written observations shall be made available to all parties in the case. At the request of the President OLA shall attend and participate in the hearing, or may do so on its own initiative.

Rule 20 Intervention

1. Any person who could be materially affected by the judgment and who wishes to express views on an issue or issues in a case potentially affecting his or her interests may submit an application for intervention to the Registrar of the Tribunal. The application shall explain how the outcome of the case may affect the applicant's interest and shall briefly set out the applicant's views on the issue or issues concerned.
2. Applications for intervention must be filed no later than 30 days after the filing of the reply in accordance with the requirements of Rule 9, *mutatis mutandis*.
3. The Registrar shall send a copy of the application for intervention to the Panel and to the parties and, if the President deems it appropriate, communicate a copy to OLA. Within a time period to be set by the President, the Parties and OLA may comment on whether the application should be allowed and on the issue or the issues it raises.
4. The Tribunal shall rule on such a request in its judgment.
5. The intervener is not a party to the case, may not file additional documents, and is not bound by the judgment solely by reason of having intervened.

Rule 21 Council's observations

In accordance with Article 6.5.3 of Annex IX, any observations by the Council shall be received at the latest 30 days before the hearing.

Rule 22 *Amicus curiae*

The Tribunal may, at its discretion, permit any person or persons, including the duly authorized staff representatives, and the Confederation of NATO Retired Civilian Staff Associations, to communicate written views to the Tribunal concerning a pending case as *amici curiae*. The Tribunal may permit an *amicus curiae* access to the pleadings of the parties. The Tribunal shall enable the parties to submit timely observations on an amicus brief..

Chapter IV

Measures

Rule 23 Amicable Settlement

1. The Tribunal or, when the Tribunal is not in session, the President, shall rule on any request by the parties to suspend the proceedings to allow them to explore the possibilities of an amicable settlement of the dispute.
2. The Tribunal or, when the Tribunal is not in session, the President, may at any time, including during the hearings, encourage mediation or invite direct discussions aimed at putting an end to the dispute, and may adopt appropriate measures with a view to facilitating such settlement. With the consent of the parties, the proceedings shall be suspended. If an agreement is not reached, the proceedings will continue.
3. No opinion expressed, suggestion, proposal, concession, or document drawn up for the purposes of seeking an amicable settlement may be relied on for any purpose by the Tribunal or the parties in the contentious proceedings.

Rule 24 Interim measures

At any time during the proceedings, the Tribunal or, when the Tribunal is not in session, the President, may request that the HONB consider taking action under Article 6.3.5 of Annex IX.

Chapter V**Oral Procedures****Rule 25 Convening of hearings**

1. There shall, unless otherwise provided in these Rules or unless all parties agree otherwise, be an oral hearing to which all parties are invited. The President shall in consultation with the parties determine the sequence of the hearing.
2. The dates of hearings shall be decided by the President after consulting the members of the Panel and the parties. Dates shall be notified by the Registrar to the members, parties, interveners and the staff representatives, as a general rule, at least 30 days in advance. The President shall rule on any request for a hearing to be postponed.
3. As soon as the time limit for submitting written documents has expired, the Registrar shall inform the parties, who then have seven days in which to notify the Registrar in writing of the names and description of the witnesses they wish to have called, together with the reasons why they wish to question them. The Registrar shall notify each party of the witnesses the other wishes to have called; each party may within seven days offer any observations on whether witnesses named by the other should be called.
4. If the Panel considers that their evidence would be useful, witnesses cited by the parties shall be summoned by the Registrar, as a general rule, at least two weeks before the day of the hearing. The Panel may authorize witnesses to be heard using videoconferencing, Internet telephony, or other similar techniques.
5. Where a witness is not able to appear before the Tribunal for reasons of health or other reasons acceptable to the Tribunal, the Tribunal may decide that the witness shall reply in writing to the questions of the Tribunal or the parties. The parties shall have the right to comment on any such written reply.
6. The Tribunal or, when the Tribunal is not in session, the President, may also call witnesses and experts to appear at the hearing.

Rule 26 Hearing

1. The hearing of the Tribunal shall be held in accordance with Article 6.7.1 of Annex IX. The Tribunal or, when the Tribunal is not in session, the President at the request of either party, may decide that part or all of the hearing may be held in camera. Hearings in any case involving matters of discipline shall be held in camera.
2. The language used in the proceedings shall be English or French. Any party will be provided with interpretation into the other language unless otherwise agreed.
3. The Tribunal may hold the hearing in the absence of one of the parties,

- provided that the date of the meeting has been duly notified to both parties.
4. The President and each of the other members may in the course of the hearing:
 - (a) put questions to the parties; and
 - (b) invite the parties themselves to express their views on certain aspects of the case.
 5. The parties or their counsel or other representatives may make statements and, under the direction of the President, put questions to the witnesses, experts, and one another.
 6. Each witness or expert shall be requested to give an undertaking to reply fully and accurately to the questions put to him.
 7. The President is empowered to issue orders and decide such matters as are necessary for the fair and orderly conduct of the hearing, including on objections raised concerning the examination of witnesses and experts or the introduction of documentary evidence.
 8. The Tribunal may limit hearings to the oral arguments of the parties and their counsel or representatives, where it considers the written evidentiary record to be adequate.
 9. The members of the Panel and the parties may participate using secured videoconferencing.

Chapter VI

Judgments

Rule 27 Judgments

1. The Tribunal shall deliberate in closed session. All deliberations of the Tribunal shall be confidential.
2. Judgments shall be adopted by majority vote. They shall be in writing and address the grounds relied upon by the parties and state the reasons on which they are based. A member of the Panel may attach a dissenting opinion.
3. Once the final text of a judgment has been approved and adopted, it shall be signed by the President and the Registrar. It shall contain the names of the members who have taken part in the judgment.
4. Judgments shall be delivered in one of the official languages and, under the responsibility of the Registrar, translated into the other one. The only authentic text shall be the original version.
5. Judgments shall be transmitted to the parties, OLA, the Confederation of NATO Civilian Staff Associations, and the Confederation of NATO Retired Civilian

Staff, interveners and amici curiae. The Registrar shall arrange for their expeditious publication in redacted form, with the name of the appellants or any person mentioned therein and any identifying information, or any classified or other sensitive information deleted.

6. The Registrar may communicate judgments to any person who requests.
However, the Tribunal may decide that a judgment shall not be communicated until the name of the appellants or any person mentioned therein and any identifying information, or any classified or other sensitive information has been deleted.
7. Subject to Article 6.8.4 of Annex IX, judgments are final and binding.

Rule 28 Rectification of error

Clerical and arithmetical errors in the judgment may be corrected by the Tribunal on its own initiative or at the request of a party.

Rule 29 Revision of Judgments

1. In accordance with Article 6.8.4 of Annex IX, either party may petition the Tribunal for a re-hearing should a determining fact not have been known by the Tribunal and by the party requesting a re-hearing at the time of the Tribunal's judgment.
2. Petitions for a re-hearing must be made within 30 days from the date on which the above-mentioned fact becomes known, or, in any case within 5 years from the date of the judgment. The Registrar shall transmit the petition to the President, and transmit copies to the HONB and OLA. The HONB will have fifteen days to submit comments.
3. The Tribunal may decide in a given case that no oral hearing is required and a decision can be taken on the basis of the written record before it.

Rule 30 Clarification of Judgments

1. After a judgment has been rendered, a party may, within 90 days of the notification of the judgment, request from the Tribunal a clarification of the operative provisions of the judgment.
2. The request for clarification shall be admissible only if it states with sufficient particularity in what respect the operative provisions of the judgment appear obscure, incomplete or inconsistent.
3. The Tribunal shall, after giving the other party or parties a reasonable opportunity to present views on the matter, decide whether to admit the request for clarification. If the request is admitted, the Tribunal shall issue its clarification, which shall thereupon become part of the original judgment.