



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

Case No. 2010-185

**Bernadel
(Appellant)**

v.

**Secretary-General of the United Nations
(Respondent)**

ORDER

Before: Judge Luis María Simón

Order No.: 30 (2010)

Date: 31 December 2010

Registrar: Weicheng Lin

Counsel for Appellant: Self-represented

REQUEST FOR EXTENSION OF TIME TO FILE APPEAL

1. On 3 December 2010, the United Nations Dispute Tribunal (Dispute Tribunal or UNDT) issued Judgment No. UNDT/2010/210 rejecting an application by Anne-Marie Bernadel (Bernadel).
2. Pursuant to Article 7(1)(c) of the Appeals Tribunal's Statute (Statute), an appeal must be filed within 45 days of the receipt of the judgment of the Dispute Tribunal. Accordingly, the time limit expires on 17 January 2011.
3. On 30 December 2010, Bernadel filed a request for an extension of time until 3 February 2011 to file her appeal against the UNDT Judgment on the grounds that her Counsel Jeppe Christensen is away from the Congo until 17 January 2011, and that the extension would allow her to consult with her counsel.
4. Article 7(3) of the Statute provides that "[t]he Appeals Tribunal may decide in writing, upon written request by the applicant, to suspend or waive the deadlines for a limited period of time and *only in exceptional circumstances*"¹. The Appeals Tribunal has repeatedly held that it "has been strictly enforcing, and will continue to strictly enforce, the various time limits".²
5. I have considered Bernadel's request, but am not persuaded by her reasons. Absence of counsel cannot constitute exceptional circumstances warranting an extension of the reasonable time limit provided for by our Statute.

¹ Emphasis added.

² See *Islam v. Secretary-General of the United Nations*, Order No. 7 (2010); *Mezoui v. Secretary-General of the United Nations*, Judgment No. 2010-UNAT-043.

ORDER

6. For the foregoing reason, I dismiss Bernadel's request for an extension of time.

Dated this 31st day of December 2010 in Montevideo, Uruguay.

Original and authoritative version: English

(Signed)

Judge Luis María Simón,
Duty Judge

Entered in the Register on this 31st day of December 2010 in New York, United States.

(Signed)

Weicheng Lin
Registrar