



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

Case No. 2010-150

**Kaddoura
(Appellant)**

v.

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

ORDER

Before: Judge Jean Courtial, President

Order No.: 45 (2011)

Date: 3 March 2011

Registrar: Weicheng Lin

Counsel for Appellant: Self-represented

KADDOURA'S FILING OF REPLY TO SECRETARY-GENERAL'S ANSWER

1. On 20 March 2010, the United Nations Dispute Tribunal (UNDT or Dispute Tribunal) issued Judgment No. 2010/050 in respect of an application by Nadine Kaddoura (Kaddoura). Kaddoura received a copy of the English translation of the Judgment on 15 September 2010. On 26 October 2010, the Appeals Tribunal granted Kaddoura's request for an extension of time to file her appeal and extended the time limit until 12 November 2010.¹ Kaddoura filed an appeal against the UNDT Judgment on 10 November 2010 and the Secretary-General filed his Answer on 4 January 2011.²
2. By e-mail dated 25 January 2011 to the Registry, Kaddoura submitted a reply to the Respondent's Answer. Kaddoura submits that her additional submission is required "to correct a mistake of fact ... and to correct misleading and incorrect statements made by the Respondent".
3. Articles 8 and 9 Of the Rules of Procedure of the Appeals Tribunal (Rules) provide for an appellant to submit an appeal form, accompanied by a brief, and for a respondent to submit an answer form, accompanied by a brief. There is no provision under the Rules for the parties to submit additional pleadings.
4. Under Article 31(1) of the Rules, the Appeals Tribunal may allow additional pleadings in exceptional circumstances. The Appeals Tribunal has so far only admitted and considered additional submissions in one case where the additional pleading directly related to the receivability of the appeal and where the responding party challenged the receivability of the appeal in its answer.³
5. The matters that Kaddoura seeks to address in her reply are merely supplementary to the submissions made in her appeal; and her motion demonstrates no exceptional circumstances justifying the need to file a reply to the Secretary-General's answer.

¹ *Kaddoura v. Secretary-General of the United Nations*, Order No. 21 (2011), 26 October 2010.

² By Order dated 29 October 2010, the President of the Appeals Tribunal directed that the Appeals Tribunal's "(j)udicial recess commences on Monday, 20 December [2010] and ends on Friday, 7 January 2011"; and that "[t]ime limits falling within this period shall be extended to Monday, 10 January 2011".

³ *Thiam v. Secretary-General of the United Nations*, Order No. 33 (2011), 12 January 2011.

ORDER

6. For the foregoing reasons, I, Judge Jean Courtial, President of the Appeals Tribunal, reject Kaddoura's motion to file a reply to the Respondent's Answer.

Dated this 3rd day of March 2010 in New York, United States.

Original: English

(Signed)

Judge Courtial, President

Entered in the Register on this 3rd day of March 2011 in New York, United States.

(Signed)

Weicheng Lin, Registrar