

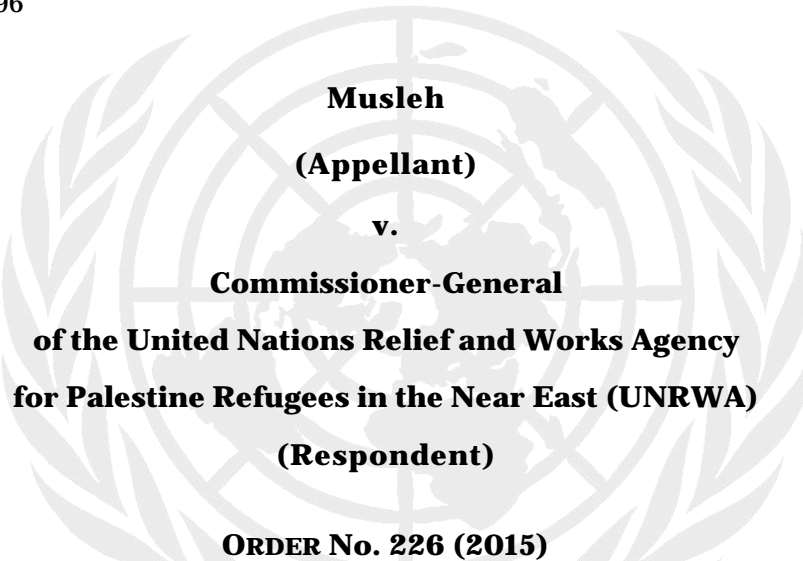


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# UNITED NATIONS APPEALS TRIBUNAL TRIBUNAL D'APPEL DES NATIONS UNIES

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Case No. 2015-696



**Musleh  
(Appellant)**

**v.**

**Commissioner-General  
of the United Nations Relief and Works Agency  
for Palestine Refugees in the Near East (UNRWA)  
(Respondent)**

**ORDER No. 226 (2015)**

1. On 10 February 2015, Mr. Mohammad Fawzy Mohammad Musleh filed an appeal against Judgment No. UNRWA/DT/2014/053 rendered by the UNRWA Dispute Tribunal in the case of *Musleh v. Commissioner-General of UNRWA*. On 16 April 2015, the Commissioner-General of UNRWA filed an answer.

2. On 30 April 2015, Mr. Musleh submitted a motion with the United Nations Appeals Tribunal (Appeals Tribunal) for leave to file additional pleadings to the Respondent's answer. Mr. Musleh states that the answer submitted by the UNRWA Commissioner-General was "superficial and devoid of any substance or meaning" and the facts summarized therein "are nothing more than a collection of lies compiled by a gang of corrupt persons". Moreover, he alleges irregularities in the conduct of his performance evaluation, including the tampering of equipment used in his evaluation. On 7 May 2015, the Commissioner-General of UNRWA filed comments, objecting to the motion on the ground that Mr. Muleh has not established any exceptional circumstances justifying the filing of additional pleadings.

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 or comments. However, the Appeals Tribunal may, under Article 31(1) of the Rules, accept additional pleadings based on the existence of exceptional circumstances.<sup>1</sup>

4. Mr. Musleh has not demonstrated the existence of exceptional circumstances justifying the need to allow him to file additional pleadings. To the contrary, he seeks to file an additional pleading merely to express his disagreement with the statements made by the UNRWA Commissioner-General in his answer and to repeat his allegations of misconduct against his former colleagues, as he has already stated in his appeal.

**IT IS HEREBY ORDERED** that Mr. Musleh's request for leave to file additional pleadings is REJECTED.

Original and Authoritative Version: English

Dated this 1<sup>st</sup> day of July 2015 in Geneva,  
Switzerland.

*(Signed)*  
Judge Rosalyn Chapman, President

Entered in the Register on this 1<sup>st</sup> day of July 2015 in  
Geneva, Switzerland.

*(Signed)*  
Weicheng Lin, Registrar

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<sup>1</sup> *Balinge v. Secretary-General of the United Nations*, Order No. 142 (2013).