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

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Case Nos. 2015-840; 2015-841; 2015-842 & 2015-843

**Jaber et al.**  
**(Appellants)**

**v.**

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

**ORDER No. 235 (2015)**

1. On 2 June 2015, the Dispute Tribunal of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA DT and UNRWA, respectively) issued the following four Judgments: *Jaber v. Commissioner-General of UNRWA*, Judgment No. UNRWA/DT/2015/031; *Shalabi v. Commissioner-General of UNRWA*, Judgment No. UNRWA/DT/2015/032; *Baidoun v. Commissioner-General of UNRWA*, Judgment No. UNRWA/DT/2015/033; and *Al Sayyad v. Commissioner-General of UNRWA*, Judgment No. UNRWA/DT/2015/034.
2. On 23 July 2015, Messrs. Khaled Jaber, Mohammad Shalabi, Muayad Mahmoud M. Baidoun and Yousef Mohammad Y. Al Sayyad (Jaber *et al.*), respectively, filed appeals with the United Nations Appeals Tribunal (Appeals Tribunal).
3. On 1 August 2015, the Commissioner-General of UNRWA (Respondent) filed a motion for consolidation of the four appeals, seeking leave to file one answer. He asserts that Jaber et al. “are appealing four quasi-identical Judgments, dismissing quasi-identical applications challenging the same decision: suspension with pay for nearly 18 months pending an investigation into fraud and return to work without any compensation following the closure of the investigation. ... The Judgments differ on one point only: ... in the case of Khaled Jaber, ... [the Judgment] also addresses the decision to modify the responsibilities of [his] posts ... [; however, this claim] is not part of Mr. Jaber’s appeal.”

4. Respondent further asserts that the Appellants raise a common set of facts, identical grounds on appeal, and request the same remedies. Thus, Respondent contends, consolidation of the appeals “will serve judicial economy and consistency without changing or affecting the rights of the parties.” Additionally, consolidation will save Respondent considerable costs.

5. On 2 September 2015, Jaber *et al.* filed comments to Respondent’s motion, stating that, although “there are important differences in the facts,” they “consider that these differences would be taken into due consideration and [the Appellants’] rights would not be affected” if the Appeals Tribunal were to consolidate the appeal and allow Respondent to file one reply.

6. Article 18*bis*(1) of the Rules of Procedure of the Appeals Tribunal (Rules) provides that “[t]he President may, at any time, either on a motion of a party or on his or her own volition, issue any order which appears to be appropriate for the fair and expeditious management of the case and to do justice to the parties”.

7. Having reviewed all documents, and finding consolidation would “be appropriate for the fair and expeditious management of the case and to do justice to the parties,” Respondent’s motion for consolidation is granted, pursuant to Article 18*bis* of the Rules.

**IT IS HEREBY ORDERED** that the Respondent’s motion for consolidation of the four appeals and request to file one answer is **GRANTED**.

Original and Authoritative Version: English

Dated this 10<sup>th</sup> day of September 2015  
in Los Angeles, United States.

*(Signed)*  
Judge Rosalyn Chapman, President

Entered in the Register on this 11<sup>th</sup> day of  
September 2015 in New York, United States.

*(Signed)*  
Weicheng Lin, Registrar