



UNITED NATIONS APPEALS TRIBUNAL TRIBUNAL D'APPEL DES NATIONS UNIES

Cases No. 2017-1096

Habash
(Appellant)

v.

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

ORDER No. 293 (2017)

1. On 2 May 2017, the Dispute Tribunal of the United Nations Relief and Works Agency for Palestine Refugees in Amman rendered Judgment No. UNRWA/DT/2017/016 in the case of *Habash v. Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East*. Under Article 7(1) of the Statute of the Appeals Tribunal (Statute), Mr. Mohammad Mahdi Abdallah Mohammad Habash has 60 days of receipt of the Judgment to file an appeal, i.e., on or before 3 July 2017.
2. On 27 July 2017, Mr. Habash filed a request for suspension, waiver or extension of time limit to appeal. Mr. Habash states, *inter alia*, that he was not able to file an appeal before 3 July 2017 because he has been suffering “from chronic depression and schizophrenia” and his family circumstances have been “very difficult because of [his] wife’s illness”. He asks for an extension of time “until the end of ... August ... to be able to consult with ... lawyers ... and others”.
3. Under Article 7(3) of the Statute, “[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 cases”. Article 7(2) of the Appeals Tribunal Rules of Procedure (Rules) sets forth the manner in which an appellant should submit a written request for a waiver of a time limit, and Article 30 of the Rules allows this Tribunal to shorten or extend a time limit “when the interests of justice so require”.

4. Mr. Habash seeks a waiver of the time limit and an additional period of time to appeal Judgment No. UNRWA/DT/2017/016, which dismissed his challenge of the Agency's decision to separate him from service on medical grounds. On the basis of his statement about his health condition and personal circumstances, this Tribunal finds that Mr. Habash has presented an exceptional case and the interests of justice will be served if his request is granted so as to give him an opportunity to fully present his case.

IT IS HEREBY ORDERED that Mr. Habash's request for a waiver of time limit and an extension of time to file his appeal is GRANTED, and the appeal form and appeal brief shall be filed **no later than 1 September 2017, COB (New York time)**.

Original and Authoritative Version: English

Dated this 4th day of August 2017
in Port of Spain, Trinidad & Tobago.

(Signed)
Judge Deborah Thomas-Felix,
President

Entered in the Register on this 4th day of August 2017
in New York, United States.

(Signed)
Weicheng Lin, Registrar