



UNITED NATIONS APPEALS TRIBUNAL TRIBUNAL D'APPEL DES NATIONS UNIES

Case No. 2020-1379

Bello

(Appellant)

v.

Secretary-General of the International Maritime Organization

(Respondent)

Order No. 371 (2020)

1. On 21 January 2020, the Staff Appeals Board (SAB) of the International Maritime Organization (IMO) issued a report in respect of an appeal that Ms. Patsy Bello, a former IMO staff member, had filed against the decision to separate her from service with IMO. In the transmittal memorandum, the SAB advised Ms. Bello that she should not expect to receive a final decision from the IMO Secretary-General, as per the past practice, and that the SAB report constituted the final decision. Ms. Bello had 90 calendar days within which to appeal the SAB decision, i.e., by 20 April 2020.

2. On 8 April 2020, Ms. Bello filed a request for suspension, waiver or extension of the time limit to appeal. She explains that she intends to appeal the SAB decision to the United Nations Appeals Tribunal (Appeals Tribunal) and was seeking the assistance of specialists in varying fields in preparing and finalizing her appeal, but that she will not be able to file her appeal before the deadline, because the coronavirus pandemic has created coordinative challenges for the specialists and also because a specialist who was recently brought in for the proceedings needs more time in order to become familiar with her case and prepare the pertinent documents. According to Ms. Bello, the United Kingdom Government predicts that relative national normalcy should return by August 2020. Ms. Bello therefore requests that the Appeals Tribunal grant her request for an extension of the time limit to 18 August 2020.

3. Article 7(3) of the Statute of the Appeals Tribunal 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 cases”. Article 30 of our Rules of Procedure allows this Tribunal to shorten or extend a time limit “when the interests of justice so require”.

4. On the basis of Ms. Bello’s submissions regarding the circumstances preventing her from filing a timely appeal, this Tribunal finds that Ms. Bello has presented an exceptional case and the interests of justice will be served if her request is granted so as to give her an opportunity to present her case. However, the requested time period (until August 2020) seems excessive. Even taking into account the challenges of the Corona pandemic, Ms. Bello has not shown why it should not be possible to prepare an appeal within the following weeks; her allegations in this respect remain vague. Consequently, this Tribunal finds it sufficient to grant Ms. Bello another month to file her appeal.

IT IS HEREBY ORDERED that Ms. Bello’s request is **GRANTED IN PART**, and the appeal form and appeal brief shall be filed no later than 22 May 2020 by 5:00 p.m. New York time.

Original and Authoritative Version: English

Dated this 20th day of April 2020
in Hamburg, Germany.

(Signed)
Judge Sabine Knierim,
President

Entered in the Register on this 20th day of
April 2020 in New York, United States.

(Signed)
Weicheng Lin,
Registrar