



UNITED NATIONS APPEALS TRIBUNAL TRIBUNAL D'APPEL DES NATIONS UNIES

Case No. 2020-1445

Oneis *et al.*

(Appellant)

v.

Commissioner-General

of the United Nations Relief and Works Agency

for Palestine Refugees in the Near East

(Respondent)

ORDER No. 382 (2020)

1. On 3 June 2020, the Dispute Tribunal of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA Dispute Tribunal or UNRWA DT) issued Judgment No. UNRWA/DT/2020/029 dismissing the applications filed by UNRWA staff members *Diab El-Tabari*, *Walid Abdullah* and *Jihad Oneis* contesting the Agency's decisions not to grant them additional allowance.
2. Pursuant to Article 7 of the Statute and Article 7 of the Rules of Procedure of the United Nations Appeals Tribunal (Appeals Tribunal), staff member may file an appeal before the Appeals Tribunal within 60 calendar days from the issuance of the UNRWA DT Judgment. This renders the deadline to file their appeals by 2 August 2020.
3. On 19 August 2020, the above-referenced staff members filed individual appeals by electronic submission with Mr. Tabari representing the group as Counsel. Upon preliminary review, it was found that the appeals seemed to involve the same subject matter, reasonings and relief requested. Hence, the Registry suggested to Counsel to file a consolidated appeal so that their cases could be reviewed together in a more cost-effective manner. The Registry also noted that the appeal was filed late and advised the staff members to file a motion.

4. On 7 September 2020, Counsel filed a request for suspension, waiver or extension of time limit to file the appeal. Counsel stated that the main reason for the delay was the Covid-19 pandemic. He stated that the staff members' files and data were stored in the office and they were unable to go to their offices as UNRWA was closed. Furthermore, there was an explosion in Lebanon which they claimed also contributed to further delay in their submissions.

5. On 17 September 2020, the Respondent filed his comments and acknowledged that the onset of the coronavirus pandemic had caused massive disruptions and affected working arrangements. He stated that in the circumstances, the Respondent had no objection to the motion for waiver or extension of time limit to appeal.

6. Article 7(1)(c) of the Statute provides that an appeal must be "filed within 60 calendar days of the receipt of the judgement of the Dispute Tribunal ... or, where the Appeals Tribunal has decided to waive or suspend that deadline ... within the period specified by the Appeals Tribunal". Article 7(3) of the Statute 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".

7. Having reviewed the circumstances of the present case, I find that there are exceptional circumstances and the interests of justice require a waiver of the time limit.

IT IS HEREBY ORDERED that the motion of Oneis *et al.* is **GRANTED**. The Registry is instructed to accept the consolidated appeal as if timely filed.

Original and Authoritative Version: English

Dated this 22nd day of September 2020
in Hamburg, Germany.

(Signed)
Judge Sabine Knierim,
President

Entered in the Register on this 22nd day
of September 2020 in New York, United States.

(Signed)
Weicheng Lin, Registrar