



UNITED NATIONS APPEALS TRIBUNAL TRIBUNAL D'APPEL DES NATIONS UNIES

Case No. 2021-1595

Applicant

(Respondent/Applicant)

v.

Secretary-General of the United Nations

(Appellant/Respondent)

ORDER No. 427 (2021)

1. On 8 June 2021, the United Nations Dispute Tribunal (Dispute Tribunal or UNDT) in New York rendered Judgment No. UNDT/2021/066 in the case of *Applicant v. Secretary-General of the United Nations*, in which the UNDT granted the Applicant's application, in part.
2. On 9 August 2021, the Secretary-General filed an appeal against the UNDT Judgment. The appeal was transmitted to the Applicant on 11 August 2021 for an answer by 10 October 2021.
3. On 29 September 2021, the Applicant filed a request for suspension, waiver or extension of time limit to file her answer. The reasons that she cites for her extension request are both professional and personal. According to the Applicant, as a staff member with the Department for General Assembly and Conference Management, she has two major responsibilities, daily issuance of the Journal and preparations for the General Assembly and its Main Committees. The period from August through mid-October is the most hectic period of the year. Also, according to the Applicant, in September, her son contracted coronavirus and there was a death in her son-in-law's family, both of which needed a lot of her time and attention. The Applicant therefore requests that the Appeals Tribunal consider her compelling professional and personal circumstances and the additional time she needs to review the voluminous annexes to the appeal and grant her an additional 60 days to file her answer.

4. Article 7(1)(c) of the Appeals Tribunal Statute (Statute) provides that an appeal must be filed within 60 calendar days of the receipt of the judgment of the Dispute Tribunal. However, under Article 7(3) of the Statute, the 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. In the same vein, Article 30 of the Appeals Tribunal Rules of Procedure (Rules) also allows this Tribunal to shorten or extend a time limit “when the interests of justice so require”.

5. On the basis of the Applicant’s submissions and also because of the complexity and importance generally of the issues raised and the desirability of having these addressed comprehensively on the appeal, I am satisfied that it is in the interests of justice to extend the time within which the Respondent is to reply to this appeal by the Secretary-General. The period of the extension beyond 10 October 2021 as sought by the Respondent is 60 days. I note from the UNDT’s Judgment that the Respondent was not professionally represented by counsel and assume that this will not change on appeal. To allow the filing and service of a Reply by 10 December 2021 will not delay the appeal being heard. Although an extension of 60 days is lengthy and unusual, the circumstances of the case warrant this.

IT IS HEREBY ORDERED that the Applicant’s request is **GRANTED**, and her Reply must be filed and served by 10 December 2021.

Original and Authoritative Version: English

Dated this 1st day of October 2021
at Auckland, New Zealand.

(Signed)
Judge Graeme Colgan,
First Vice-President

Entered in the Register on this 4th day
of October 2021 in New York, United States.

(Signed)
Weicheng Lin, Registrar