



UNITED NATIONS APPEALS TRIBUNAL TRIBUNAL D'APPEL DES NATIONS UNIES

Case No. 2017-1083

Dibs

(Appellant)

v.

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

(Respondent)

Order No. 296 (2017)

1. On 14 May 2017, the Dispute Tribunal of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA or Agency, respectively) issued Judgment No. UNRWA/DT/2017/018 in *Dibs v. Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East*. Mr. Khader Dibs appealed the Judgment on 11 June 2017 to the United Nations Appeals Tribunal (Appeals Tribunal). The appeal was transmitted to the Commissioner-General on 12 June 2017. The time limit for filing an answer was therefore 11 August 2017.

2. On 27 September 2017, the Commissioner-General filed a motion requesting a waiver of the time limit to file an answer to the appeal. In support of his request, he states that he failed to submit a timely answer because of an internal oversight. The Commissioner-General therefore requests that he be granted three days from the date of the issuance of the order to file his answer.

3. Under Article 30 of the Rules of Procedure of the Appeals Tribunal, “the President or the panel hearing a case may shorten or extend a time limit fixed by the rules of procedure or waive any rule when the interests of justice so require”.

4. While the Appeals Tribunal “has consistently held that it strictly enforces the various time limits under its Statute and rules”,¹ I find that in this particular case, though the Commissioner-General is too late in filing such a request, it is in the interests of justice to waive the time limit to file an answer to the appeal since receiving submissions from both parties in any given case will greatly assist the Appeals Tribunal in its deliberations and furthermore, the aforementioned waiver will not prejudice Mr. Dibs’ rights.

5. However, I am not prepared to easily grant a waiver or an extension of time limits in the future whenever the Commissioner-General is running behind due to an oversight by the Agency.

6. For the foregoing reasons, I grant the Commissioner-General’s motion and order that, under Article 30 of the Rules of Procedure of the Appeals Tribunal, he shall be entitled to file an answer to Mr. Dibs’ appeal.

IT IS HEREBY ORDERED that the Commissioner-General’s answer to the appeal, if any, should be submitted no later than 10 October 2017.

Original and Authoritative Version: English
Dated 4th day of October 2017 in Athens, Greece.

(Signed)
Judge Dimitrios Raikos,
Presiding

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

(Signed)
Weicheng Lin, Registrar

¹ *Nyakossi v. Secretary-General of the United Nations*, Order No. 72 (2011), para. 3.