



JUDGE KANWALDEEP SANDHU , PRESIDING .

1. Mr. Qasem Abdelilah Mohammed Qasem, by two applications, contested the decisions of the United Nations Relief and Works Agency for Palestine Refugees .001 Tc -0.s33 1 0 0 1 84.50.028 Tw 17.707

7. On 10 January 2022, Mr. Qasem requested decision review of the Agency's decision to place him on ALWP.³

8. By letter of 1 March 2022, the Director of Human Resources informed Mr. Qasem of the outcome of his request for A4st (r d 0()) (st (r c-0.016.s-0.016.o-3..7 (e)) (7e) (3 (a)) (001-1(1)) (167e) (209

THE UNITED NATIONS APPEALS

THE UNITED NATIONS APPEALS TRIBUNAL

Judgment No. 20

26. Therefore, the application to the UNRWA Dispute Tribunal challenging the contested decision should have been filed no later than 90 calendar days after the date that the Agency responded to the request for decision review, *i.e.* 90 calendar days after 1 March 2022, which would be 30 May 2022.¹⁴ However, Mr. Qasem submitted his application on 18 February 2023, well beyond the 90-calendar day deadline.

27. Consequently, the UNRWA Dispute Tribunal did not err when it held that the first application was out of time and not receivable *ratione temporis*.

28. This Tribunal has consistently and strictly enforced the time limits for filing applications and appeals. Strict adherence to filing deadlines assures one of the goals of our system of administration of justice: the timely hearing of cases and rendering of judgments.¹⁵

29. However, there may be exceptional cases where the deadlines need to be suspended or waived or extended. Article 8(3) of the UNRWA DT Statute provides that “(t)he Dispute Tribunal may decide in writing, upon written request by the applicant, to suspend, waive or extend the deadlines for a limited period and only in exceptional cases. The Dispute Tribunal shall not suspend, waive or extend the deadlines for decision review.”

30. In the present case Mr. Qasem argues that he could not have filed an application “within 90 days of the Agency response as the Agency would have requested dismissing the case as the process was still pending”. Also, to date, he has not received any information on the investigation that was the cause to place him on ALWP.

31. First, Mr. Qasem did not apply for an extension or waiver of the time limit. As stated by the Appeals Tribunal in prior decisions, an applicant’s submission of a written request for waiver is a prerequisite, or condition precedent, under Article 8(3) to the UNRWA Dispute Tribunal being competent to waive the filing deadline in Article 8(1)(d).¹⁶

THE UNITED NATIONS APPEALS TRIBUNAL

Judgment No. 2024-UNAT-1426

37. As there was no request for decision review in the circumstances pertaining to the second application, the UNRWA Dispute Tribunal did not err in finding that it had no jurisdiction to receive the second application.

38. The appeal fails on both counts.

Judgment

39. Mr. Qasem's appeal is dismissed, and Judgment No. UNRWA/DT/2023/010 is hereby affirmed.

Original and Authoritative Version: English

Decision dated this 22nd day of March 2024 in New York, United States.

(Signed)

Judge Sandhu, Presiding

(Signed)

Judge Ziadé

(Signed)

Judge Forbang

Judgment published and entered into the Register on this 1st day of May 2024 in New York, United States.

(Signed)

Juliet E. Johnson, Registrar