



**Before:** Judge Jean-François Cousin

**Registry:** Amman

**Registrar:** Laurie McNabb

APPLICANTS

v.

COMMISSIONER-GENERAL OF THE  
UNITED NATIONS RELIEF AND WORKS  
AGENCY FOR PALESTINE REFUGEES  
IN THE NEAR EAST

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**STANDING ORDER**

**(EXTENSION OF TIME TO  
TRANSLATE REPLY)**

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## **Introduction & Facts**

1. On 5 February 2021, within the context of an application submitted to the UNRWA Dispute Tribunal (“Tribunal”) against the decisions of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, also known as UNRWA (“Respondent”), the Respondent filed a motion for a Standing Order for an extension of time to submit the Arabic translations of his replies to all applications filed in Arabic by staff members (“Applicants”).
2. The Respondent requests that the Tribunal exceptionally grant an extension of time of 45 days to submit the Arabic translations of his replies filed on or after 22 January 2021, and notes that he would endeavour at all times to submit the translations before the expiry of the 45-day period.

## **Considerations**

3. Article 6(1) of the Tribunal’s Rules of Procedure (“Rules”) provides:

The Respondent’s reply shall be submitted within 30 calendar days from the date of receipt of the application by the Respondent in one signed original together with annexed documents, which may be electronically transmitted. If the application is submitted in Arabic, the Respondent shall submit its reply in English and, within 14 calendar days after the submission date of the Respondent’s reply in English, an Arabic translation of the English reply. The documents attached to the reply may be submitted in the language in which they have been issued. The Respondent who has not submitted a reply within the requisite period shall not be entitled to take part in the proceedings except with the leave of the Tribunal.

4. Article 32(1) of the Rules gives the Tribunal authority to make any order or give any direction which appears to be appropriate for a fair and expeditious disposal of the case and to do justice to the parties. In addition, Article 30 of the Rules stipulates that “the Judge hearing a case may shorten or extend a time limit fixed by these Rules or waive any rule when the interests of justice so require”. Article 32(1) of the Rules also vests the Tribunal with the authority to address procedural matters that are not expressly provided for in the Rules, in accordance

with the Statute and consistent with the relevant rules of international law and the principles of the rule of law and due process.

5. Therefore, under the aforementioned articles, the Tribunal has extensive latitude in deciding matters related to case management. In addition, as a first-instance trier of facts, the Tribunal is generally indulgent in accepting evidence and submissions. This is particularly so where there is a backlog of cases and the extension of time granted to the Respondent will not prejudice the Applicants in any manner.

6. The Respondent submits that, due to inadequate resources, he is unable to prepare and submit the Arabic translations of his replies within the statutory time limits. Given the fact that there is a backlog of cases and that granting the Respondent's request for a Standing Order of an extension of time to translate his replies will not prejudice the Applicants in any manner, the Tribunal finds that it would be appropriate for a fair and expeditious disposal of the case and would do justice to the parties to grant the Respondent's motion.

**IT IS ORDERED THAT:**

7. For replies filed on and after 22 January 2021 until 31 December 2021, the Tribunal orders the Respondent to file the Arabic translation of his replies within 45 calendar days after the submission date of his replies in English.

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Judge Jean-François Cousin

Dated this 8<sup>th</sup> day of February 2021

Entered in the Register on this 8<sup>th</sup> day of February 2021

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Laurie McNabb, Registrar, UNRWA DT, Amman