



**UNITED NATIONS APPEALS TRIBUNAL
TRIBUNAL D'APPEL DES NATIONS UNIES**

Case No. 2012-326

Said (Appellant)

(Respondent)

ORDER No. 92 (2012)

1. On 18 May 2

Tribunal

of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA DT) on 27 February 2011 in the case of *Said v. Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East*. In support of the motion, Mr. Said submits that he has not yet received the Arabic translation of the Judgment and is therefore not in a position to fully understand it.

2. The case at bar is a case which was pending before the UNRWA Joint Appeals Board (JAB) and was transferred, upon its abolition effective 1 July 2009, to the UNRWA

Arabic. The Appeals Tribunal has consistently held that in cases where a DT judgment is rendered in a language which is different from the language of the appeal, the date of the receipt of the translation is considered the date of the receipt of the judgment for the purpose of the computation of time limits pursuant to Article 7(1)(c) of the Statute of the Appeals Tribunal.

5. I believe that the circumstances of Mr. Said's case are exceptional and warrant a waiver of the time limits to file an appeal. Mr. Said was caught in the transition from the former to the new internal justice system. He is unable to fully understand the Judgment and the only reason why he filed his application before the former UNRWA JAB in English is that the former UNRWA JAB did not accept appeals filed in Arabic.

6. The underlying rationale of an appellant's right to receive a judgment in the language of the application before the DT is that, in order to exercise his or her right to appeal, he or she needs to be able to fully understand the Judgment. Given the circumstances, to deny Mr. Said the possibility to fully understand the Judgment before filing an appeal would violate his due process rights.

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