

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 judgement of the Dispute Tribunal or, where the Appeals Tribunal has decided to waive or suspend that deadline in accordance with paragraph 3 of the present article, within the period specified by the Appeals Tribunal”.¹ Article 7(3) of the Statute provides that “[t]he 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”. Article 30 of the Appeals Tribunal Rules of Procedure allows this Tribunal to shorten or extend a time limit “when the interests of justice so require”.

5. Having considered the circumstances of Mr. Kalashnik's case, there is no merit in his request. Apart from the pendency of an application for interpretation of the UNDT Judgment, which he voluntarily chose to file, Mr. Kalashnik advances no circumstances showing that his is an “exceptional case[]”. A pending request for interpretation of a Dispute Tribunal Judgment does not, as such, constitute an exceptional case within the meaning of Article 7(3) of the Statute.

6. Further, as the Appeals Tribunal cannot predict when the UNDT will dispose of Mr. Kalashnik's application for interpretation, the request for an extension of time is an open-ended request, the granting of which would undermine the mandatory nature of the deadline set forth in Article 7(1)(c) of the Statute and would allow staff members to circumvent the deadline simply by filing a request for interpretation.

7. Finally, the Appeals Tribunal has determined that:²

The exercise of interpretation under Article 30 of the UNDT Rules of Procedure is not an avenue for review or the basis for a fresh judgment. Any dissatisfaction with

