

Case No. 2018-1189

Webster

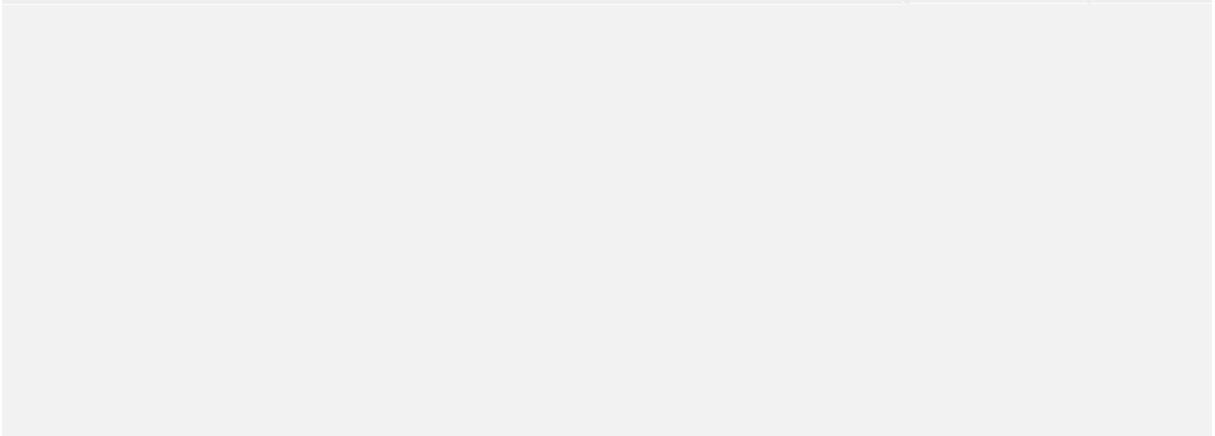
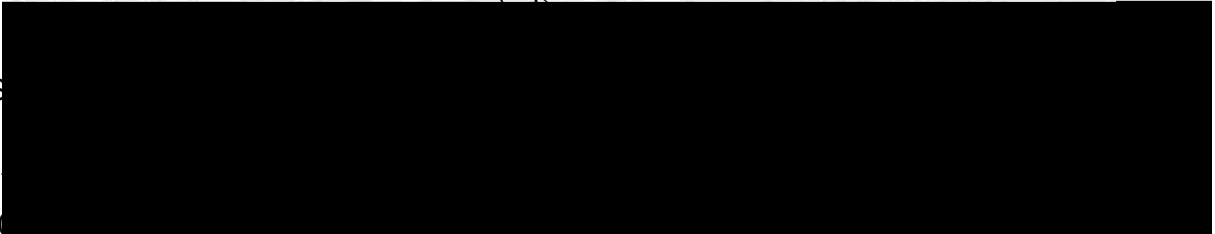
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reco (mandatory, its decision on receiptability is final. "ccordn to) r. + ebster, the S" Secretary-General filed his reply on the (er!ts on 6 /#ly 2018.

7. On 21 /#ly 2018,) r. + ebster filed before the "%%eals 2r!b#nal a re, #est for s#s%ens!on of t!(e to file an a%%eal a0a!nst the S" Secretary-General-s 16) ay 2018 decision * h!ch reaff!r(ed his ad(!n!strat!e decision to se%arate) r. + ebster fro(ser&ce. n s#%ort of his re, #est,) r. + ebster contends that his a%%eal before the /"B is st!!! %end!n0 and that he is concerned that !f he files an a%%eal before the "%%eals 2r!b#nal no*, the S" Secretary-General * !ll re, #est a s#s%ens!on of the /"B %rocess.

6.) r. + ebster also s#b(!ts that !t is !n the !nterests of eff!c!ency and #st!ce that the /"B !rst render !ts decision on the (er!ts of the a%%eal so that the sa(e %anel of "%%eals 2r!b#nal #d0es (ay deal *!th both a%%eals \$rece!&ability and (er!ts' at the sa(e t!(e. 9e re, #ests that the "%%eals 2r!b#nal order the s#s%ens!on of the 17 " #0#st 2018 dead!ne and declare that the t!(e !(!t to file an a%%eal fro(the decision shall be 90 calendar days of the rece!%t by the a%%eal!n0 %arty of 5the decision of the /"B on the (er!ts6

7. S" Staff . #le 11.1\$' %ro&des:

"n a%%eal (ay be filed by either %arty * !th!n 90 calendar days of the rece!%t of the decision by the Secretary-General based on the re%ort of a %anel of the /o!nt "%%eals Board, or * !th!n n!nety calendar days of the rece!%t of the re%ort of a %anel of the /o!nt "%%eals Board !f the Secretary-General has not (ade a decision on the re%ort * !th!n a %er!od of 13 days after the date on * h!ch the re%ort * as s#b(!tted to h!(or her. "n a%%eal shall not be rece!&able by the ;n!ted Nations "%%eals 2r!b#nal #nless the dead!ne has been (et or has been * a!&ed or s#s%ended by the "%%eals 2r!b#nal.

8. 2he "%%eals 2r!b#nal has held that * here a !rst !nstance body renders se%arate #d0(ents on receiptability and on the (er!ts, an a%%eal sho#ld be filed only after the !nal #d0(ent has been rendered.¹ n !!0ht of the fore0o!n0, the t!(e !(!t to file an a%%eal a0a!nst the S" Secretary-General-s decision of 16) ay 2018 only starts to r#n fro(the day) r. + ebster rece!&es the S" Secretary-General-s decision on the (er!ts, based on the /"B . e%ort, or, !f the Secretary-General (aces no decision on the re%ort * !th!n a

¹ , /#d0(ent No. 2017-; N" 2-716, %aras. 12-11= , /#d0(ent No. 2013-; N" 2-333, %aras. 21 to 23.

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