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

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Case No. 2024-1914

**Koffi Gilles Wilfried Amani**

**(Appellant)**

**v.**

**Secretary-General of the United Nations**

**(Respondent)**

**ORDER NO. 557 (2024)**

1. On 13 February 2024, the United Nations Dispute Tribunal (UNDT or Dispute Tribunal) issued Judgment No. UNDT/2024/005 in the case of *Amani v. Secretary-General of the United Nations*, in which it decided that the application of Mr. Koffi Gilles Wilfried Amani, contesting several administrative decisions, was not receivable.
2. The deadline for filing an appeal of the UNDT's Judgment with the United Nations Appeals Tribunal (UNAT or Appeals Tribunal) was 13 April 2024.
3. On 13 April 2024, Mr. Amani filed a motion requesting suspension, waiver or extension of time to file his appeal of the UNDT Judgment (Motion).
4. In support of his Motion, Mr. Amani submits that his submissions before the UNDT were not understood and not "properly assessed". He asserts that this perception is supported by the UNDT's statement contained in paragraph 21 of the UNDT's Judgment: "Despite the Applicant's 16 October 2023 attempt to explain the exact decision he is contesting, the specifics of Decision 5 [remain unclear to the Tribunal]."
5. Mr. Amani further submits that he is unable to prepare an appeal that meets the standards of the Appeals Tribunal and seeks a suspension of the time limit to file an appeal in order to enable him to contact potential counsels and select one. He argues that his

counsel will need time to become acquainted with the case, review the materials, and prepare the appeal documents.

6. 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 judgment of the Dispute Tribunal. However, under Article 7(3) of the Statute, the Appeals Tribunal may decide in writing, upon written request by the applicant, and in exceptional cases, to suspend or waive the deadlines for a limited period of time. In the same vein, Article 30 of the Appeals Tribunal Rules of Procedure (Rules) also allows this Tribunal to shorten or extend a time limit when the interests of justice so require.

7. The Appeals Tribunal has found that it “may waive or suspend the deadlines for filing an appeal in exceptional cases or shorten or extend a time limit when the interests of justice so require”.<sup>1</sup> However, the Appeals Tribunal has held that it “has been strictly enforcing, and will continue to strictly enforce, the various time limits” in the Statute.<sup>2</sup>

8. The Appeals Tribunal has granted additional time where a party has an especially complex case with voluminous materials, a lengthy UNDT Judgment, and requires more time for consultation with counsel.<sup>3</sup> However, this does not seem to be the case for Mr. Amani, as his case was dismissed on receivability grounds, and the UNDT’s Judgment is eight pages long. There is nothing in his Motion to suggest that he has experienced any justifiable difficulty in timeously finding a counsel, either due to the perceived complexity of the case or the voluminosity of the materials, or any other reason.

9. Therefore, I find that, the reason presented by Mr. Amani for an extension does not qualify as exceptional circumstances according to Article 7(3) of the Statute, nor does it necessitate an extension in the interest of justice under Article 30 of the Rules.

10. However, given that Mr. Amani had not reached the deadline when he submitted his Motion, and acknowledging that the deadline has now lapsed, I grant him one extra working day from the date of this Order for him to file his appeal.

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<sup>1</sup> *Polino Malish Abbas v. Secretary-General of the United Nations*, UNAT Order No. 549 (2024), para. 5 (internal citation omitted).

<sup>2</sup> *Philippe Schifferling v. Secretary-General of the United Nations*, UNAT Order No. 551 (2024), para. 9 (internal citation omitted).

<sup>3</sup> *Abbas Order, op. cit.*, para. 7.

**IT IS HEREBY ORDERED** that Mr. Amani's Motion is **DENIED** and he must file his complete appeal, if any, no later than one working day from the date of issuance of this Order.

Original and Authoritative Version: English

Decision dated this 17<sup>th</sup> day of April 2024 in Beijing, China.

*(Signed)*  
Judge Gao Xiaoli,  
President

Order published and entered in the Register on this 17<sup>th</sup> day April 2024 in New York, United States.

*(Signed)*  
Juliet E. Johnson,  
Registrar