



UNITED NATIONS APPEALS TRIBUNAL TRIBUNAL D'APPEL DES NATIONS UNIES

Case No. 2023-1855



1. On 26 September 2023, Mr. Louis Savadogo filed an appeal of Decision No. ITLOS/JAB/2022/9 rendered by the Joint Appeals Board of the International Tribunal for the Law of the Sea (JAB and ITLOS, respectively). This appeal was lodged as Case No. 2023-1855 with the United Nations Appeals Tribunal (UNAT or Appeals Tribunal).

2. By Order No. 558,¹ the Appeals Tribunal directed the Registrar of ITLOS (Registrar) to advise whether certain evidence requested by Mr. Savadogo existed, and if so, to advise whether she objects to its production.

3. In response to Order No. 558 (2024) on 16 May 2024, the Registrar advised the Appeals Tribunal that the documents sought by Mr. Savadogo were not prepared and therefore, in effect, do not exist. A party cannot be required to produce a document if it does not exist and, therefore, no order for document production can be made.

¹ *Louis Savadogo v. Registrar of the International Tribunal for the Law of the Sea*, Order No. 558 (2024).

4. The Registrar, however, made further submissions about the non-existence of the requested evidence and referred the Appeals Tribunal to other documents produced to the ITLOS.

5. In these circumstances, Mr. Savadogo may have the period of 10 days from issuance of this Order to file and serve any submissions in response to those made by the Registrar, which were dated 16 May 2024. The submission should be no more than 2 pages.

6. The Appeals Tribunal will consider all submissions filed at its forthcoming Summer Session.

IT IS HEREBY ORDERED accordingly.

Original and Authoritative Version: English

Decision dated this 20th day of May 2024 in Auckland,
New Zealand

(Signed)
Judge Graeme Colgan
Presiding Judge

Order published and entered in the Register on this
20th day of May 2024 in New York, United States.

(Signed)
Juliet E. Johnson,
Registrar