



UNITED NATIONS APPEALS TRIBUNAL TRIBUNAL D'APPEL DES NATIONS UNIES

Case No. 2014-584

Applicant
v.
Secretary-General of the United Nations
(Respondent)

ORDER No. 175 (2014)

1. On 23 December 2013, the United Nations Dispute Tribunal (UNDT) in Nairobi issued Judgment No. 2013/177 in the case of *Applicant v Secretary-General of the United Nations*.
2. On 19 February 2014, counsel for the Applicant filed a motion seeking a 30-day extension of time to file an appeal against the UNDT Judgment. In support of his Motion, counsel submits that he was just retained to represent the Applicant and that in light of the large body of documents in the trial record, and potentially multiple grounds of appeal, he will require additional time to familiarize himself with the case to prepare a meaningful appeal. In addition, the geographical distance between himself and his client renders their communication challenging.
3. Pursuant to Article 7(1) of the Statute of the Appeals Tribunal (Statute), an appeal must be filed within 60 calendar days of receipt of the judgment of the Dispute Tribunal.
4. Under Article 7(3) of the Statute, “[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”. The Appeals Tribunal has repeatedly held that it “has been strictly enforcing, and will continue to strictly enforce, the various time limits”.¹
5. Having considered the Applicant’s case, I do not believe that it constitutes an exceptional case warranting a lengthy waiver or extension of the time limits provided for in the Statute. The Applicant had 60 days to prepare his appeal or to retain counsel to

¹ *Mezoui v. Secretary-General of the United Nations*, Judgment No. 2010-UNAT-043, para. 21.

represent an appeal on his behalf. Yet, he waited until 19 February 2014, two days before the expiry of the time limit, to file a request for an extension. Counsel has not presented any reason for the Applicant's delay in retaining counsel, or for not retaining counsel in closer proximity.

6. For the foregoing reasons, I reject the Applicant's request for a 30-day extension. However, given that the time limit to appeal Judgment No. UNDT/2013/177 has now lapsed, and as a way forward, I exceptionally grant the Applicant five additional working days to file his appeal. The appeal is now due on 4 March 2014.

Original and Authoritative Version: English

Dated this 25th day of February 2014 in London,
United Kingdom.

(Signed)
Judge Richard Lussick,
Duty Judge

Entered in the Register on this 25th day of
February 2014 in New York, United States.

(Signed)
Weicheng Lin, Registrar