



UNITED NATIONS APPEALS TRIBUNAL TRIBUNAL D'APPEL DES NATIONS UNIES

Case No. 2016-936

**Keto
(Applicant)**

v.

**Secretary-General of the United Nations
(Respondent)**

ORDER No. 265 (2016)

1. On 31 May 2016, the United Nations Dispute Tribunal (UNDT) issued Judgment No. UNDT/2016/064, in the case of *Keto v. Secretary-General of the United Nations*, in which it dismissed Mr. Keto's application as not receivable.
2. On 15 June 2016, Mr. Keto filed with the United Nations Appeals Tribunal (Appeals Tribunal) a request for suspension, waiver or extension of time limit to 22 September 2016, to appeal Judgment No. UNDT/2016/064. Mr. Keto explains that he is in the Central African Republic and his representative is in the United States, and "[p]reparation of the appeal including necessary additional investigation and meeting necessitates this request."
3. 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". 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".¹ This Tribunal has repeatedly held that it "has been strictly enforcing, and will continue to strictly enforce, the various time limits".²

¹ See also Article 7(2) of the Appeals Tribunal Rules of Procedure.

² *Chandran v. Secretary-General of the United Nations*, Order No. 232 (2015), citing *Mezoui v. Secretary-General of the United Nations*, Judgment No. 2010-UNAT-043, para. 21. See also,

4. Having considered the circumstances of Mr. Keto's case, there are no exceptional circumstances that warrant an extension of the time limit to file an appeal. Usually an appeal on receivability raises limited issues of law and fact. The geographic distance between Mr. Keto and his representative does not present an insurmountable obstacle to the timely preparation of an appeal given the prevalence of modern methods of communication.

5. For the foregoing reasons, Mr. Keto's request for suspension, waiver or an extension of time limit to appeal should be denied.

IT IS HEREBY ORDERED that Mr. Keto's request for suspension, waiver or extension of time limit to appeal **IS DENIED**.

Original and Authoritative Version: English

Dated this 30th day of June 2016
in New York, United States.

(Signed)
Judge Rosalyn Chapman,
President

Entered in the Register on this 1st day of
July 2016 in New York, United States.

(Signed)
Weicheng Lin, Registrar

most recently, *Ocokoru v. Secretary-General of the United Nations*, Judgment No. 2015-UNAT-604, paras. 39 & 40 and the authorities cited therein.