



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

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Case Nos. 2012-343, 2012-369, 2012-370, 2012-371, 2012-372 & 2012-373

**Kamanou**  
**(Appellant)**

**v.**

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

## **ORDER No.101 (2012)**

1. On 6 July 2012, Ms. Gisele Kamanou filed six motions dated 26 June 2012, requesting an extension of time to appeal the following six Judgments issued by the United Nations Dispute Tribunal (UNDT or Dispute Tribunal) in the case of *Kamanou v. Secretary-General of the United Nations*: Judgment No. UNDT/2012/047 dated 13 April 2012; Judgment No. UNDT/2012/048 dated 13 April 2012; Judgment No. UNDT/2012/053 dated 17 April 2012; Judgment No. UNDT/2012/059 dated 30 April 2012; Judgment No. UNDT/2012/064 dated 4 May 2012; and Judgment No. UNDT/2012/085 dated 4 June 2012 (UNDT Judgments).

2. Ms. Kamanou requests 120 days to file her appeals against the aforementioned Judgments from the time that she receives the translation into English of the last Judgment, Judgment No. UNDT/2012/085. She submits that she has only recently retained counsel to represent her and that given the complexity of the issues he would require additional time to prepare her appeals. In particular, he would need to review all relevant documents, including the transcripts of all hearings related to her case, some of

which took place in French. She requests the translation of “all the orders rendered” in her case.<sup>1</sup>

3. Ms. Kamanou also seeks a consolidation of all six cases. She argues that it is not possible to divide the issues addressed in the cases because of the “common grounds intertwined”. In support of her request for consolidation, she cites Judgment No. 2011-UNAT-113 rendered by the United Nations Appeals Tribunal (Appeals Tribunal) in her case.

4. By email dated 17 August 2012 to the Registry of the Appeals Tribunal, the Secretary-General notified the Appeals Tribunal that he had no comments on the merits of Ms. Kamanou’s motions.

5. I have carefully considered Ms. Kamanou’s request for consolidation of the six cases. I note that she has not identified any of the alleged “common grounds” of the six cases and has provided no specific reasons as to why her potential appeals should be consolidated. At this stage in the proceedings, and based on Ms. Kamanou’s cursory submissions, I cannot but reject her consolidation request. This ruling is without prejudice to the consideration of a consolidation of cases at a later stage, by either the President or the panels seized of the appeals, if any.

6. I will now turn to Ms. Kamanou’s request for an extension of time to file her appeals. Article 7(1)(c) of the Statute of the Appeals Tribunal (Statute) provides that an appeal must be filed within sixty calendar days of the receipt of the judgment of the Dispute Tribunal. Pursuant to 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”. Under Article 7(2) of the Rules of Procedure of the Appeals Tribunal, “[i]n exceptional cases, an appellant may submit a written request to the Appeals Tribunal seeking suspension, waiver or extension of the time limits referred to in article 7.1”.

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<sup>1</sup> Further to a request for clarification from the Registry, Ms. Kamanou identified in a communication dated 19 July 2012, the relevant (seventeen) Orders and (six) Judgments.

7. The Appeals Tribunal has consistently held that it “has been strictly enforcing, and will continue to strictly enforce, the various time limits”.<sup>2</sup> “The question of what constitutes exceptional circumstances will vary from case to case”.<sup>3</sup>

8. In the case at bar, a review of the filings reveals that counsel has received a translation into English of all six Judgments. According to Ms. Kamanou, she has received the last translation on 28 June 2012. Only six of the seventeen Orders have been rendered in French. Ms. Kamanou has made no effort to show which of these Orders has been referred to in which UNDT Judgment or how and why they are still relevant to her cases. She has not demonstrated any exceptional circumstances that would warrant an extension of time.

9. For the foregoing reasons, I reject Ms. Kamanou’s motions in their entirety. However, given that the time limits for filing appeals against the UNDT Judgments have already lapsed due to the delay in rendering this Order, Ms. Kamanou shall have 15 working days to file her appeals, if any, against the UNDT Judgments from the date of the issuance of this Order.

Original and Authoritative Version: English

Dated this 17<sup>th</sup> day of September 2012 in  
Montevideo, Uruguay.

Entered in the Register on this 17<sup>th</sup> day of  
September 2012 in New York, United States.

*(Signed)*

Judge Luis María Simón, President

*(Signed)*

Weicheng Lin, Registrar

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<sup>2</sup> *Mezoui v. Secretary-General of the United Nations*, Judgment No. 2010-UNAT-043.

<sup>3</sup> *Christensen v. Secretary-General of the United Nations*, Judgment No. 2012-UNAT-218.