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

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Case No. 2014-629

**Staedtler**

**(Appellant)**

**v.**

**Secretary-General of the United Nations**

**(Respondent)**

**ORDER No. 195 (2014)**

1. On 28 July 2014, Mr. Marc Staedtler filed an appeal against Judgment No. UNDT/2014/057 rendered by the United Nations Dispute Tribunal (UNDT). His appeal brief totals 43 pages. According to Mr. Staedtler, the UNDT Judgment under appeal disposed of four administrative decisions, and he has filed “a consolidated document”, which in fact contains four appeals against the four “single-standing” administrative decisions that the UNDT reviewed.

2. After he was advised by the Registry that his appeal brief was not acceptable as it did not conform to the page limit, Mr. Staedtler filed a motion on 1 August 2014 seeking “guidance on the applicable regulations on page and word count limits for appeal briefs addressing more than one decision contained in a UNDT judgment”. He maintains that neither the Rules of Procedure (Rules) nor the Practice Direction of the Appeals Tribunal provide for any page/word count limit on an appeal against a UNDT judgment disposing of multiple decisions, and, though he has filed a 43-page-long brief, he is still in compliance with the filing requirement of the Appeals Tribunal as none of his four appeals exceeds the 15 page/6,750 word limit. Mr. Staedtler argues that it is contrary to the principle of equal rights that he can file only a 15-page appeal against four decisions whereas another appellant may file an appeal of that length against one decision.

3. In his comments dated 8 August 2014, the Secretary-General opposes the motion because, in his view, Mr. Staedtler has not demonstrated any circumstances justifying a need to increase the page limit for his appeal brief. He notes that, unlike the *Tadonki* case, which involved two lengthy series of hearings and for which the UNDT issued a 104-page judgment,<sup>1</sup> there was no hearing held in the present case and the UNDT Judgment is 25 pages. Moreover, the UNDT devoted less than three pages to the consideration of one decision while dismissing Mr. Staedtler's appeal against the other three decisions as either non-receivable or moot.

4. Under Article 2(1) of its Statute, the Appeals Tribunal is "competent to hear and pass judgement on *an appeal* filed against *a judgement* rendered by the United Nations Dispute Tribunal". (Emphases added.) Article 8 of the Rules requires the submission of an appeal form to be accompanied *inter alia* by a brief and provides: "[t]he brief shall not exceed 15 pages". It is thus clear that only one appeal may be filed against a UNDT judgment, and that the appeal must be directed against the UNDT judgment, and not against a decision or decisions that the UNDT considered in the judgment. It is also clear that the appeal may not exceed 15 pages, or 6,750 words, as further specified in the Practice Direction of the Appeals Tribunal, absent exceptional circumstances.

5. Having reviewed Mr. Staedtler's motion, I decide not to grant his request, as he did not show any exceptional circumstances that would justify a need to waive the page limit stipulated in the Rules.

6. Considering the time limit for filing an appeal has already expired, I decide to exceptionally grant Mr. Staedtler ten working days to file a proper brief that complies with the page or word limit, and that "explains the legal basis of any of the five grounds for appeal set out in article 2.1 of the statute of the Appeals Tribunal that is relied upon".<sup>2</sup> His appeal, if any, is now due on 28 August 2014.

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<sup>1</sup> See *Tadonki v. Secretary-General of the United Nations*, Order No. 126 (2013). In that order, the Appeals Tribunal exceptionally granted the Secretary-General's motion to increase the page limit to 25 pages for his appeal "in a case of this magnitude".

<sup>2</sup> Article 8(2) of the Rules.

Original and Authoritative Version: English

Dated this 14<sup>th</sup> day of August 2014 in  
London, United Kingdom

*(Signed)*  
Judge Richard Lussick, President

Entered in the Register on this 14<sup>th</sup> day of  
August 2014 in New York, United States.

*(Signed)*  
Weicheng Lin, Registrar