



UNITED NATIONS APPEALS TRIBUNAL TRIBUNAL D'APPEL DES NATIONS UNIES

Case No. 2022-1653

Koffi Gilles Wilfried Amani

(Appellant)

v.

Secretary-General of the United Nations

(Respondent)

ORDER No. 436 (2022)

1. On 23 November 2021, the United Nations Dispute Tribunal (Dispute Tribunal or UNDT) in Nairobi rendered Judgment No. UNDT/2021/137 in the case of *Amani v. Secretary-General of the United Nations*, in which the UNDT dismissed Mr. Koffi Gilles Wilfried Amani's application, contesting the decision to separate him from service on disciplinary grounds.
2. The period in which either party had to file an appeal was 60 days after the delivery of the UNDT's Judgment. This time limit expires today.
3. By e-mail dated 13 January 2022, Mr. Amani's former counsel who had represented him before the UNDT advised Mr. Amani that he would be unable to represent him in the matter of his appeal.
4. On 19 January 2022, Mr. Amani filed a request for a suspension of the time limit to file his appeal. The reasons that he cites for his extension request are that he is unable, personally and alone, to prepare and file an appeal in the time now available to him; he wishes to have the assistance of counsel and needs time to approach and appoint one who will, in turn, have to self-familiarise with the case; and although, theoretically, OSLA representation is available to him, his approach to this organisation at the outset of his case was unproductive.

5. 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 judgment of the Dispute Tribunal. However, under Article 7(3) of the Statute, the Appeals Tribunal may decide in writing, upon written request by the applicant, and in exceptional cases, to suspend or waive the deadlines for a limited period of time. Article 30 of the Appeals Tribunal Rules of Procedure (Rules) also allows the President of the Tribunal to make such an order if it is required in the interests of justice.

6. Given the relatively late notification to Mr. Amani that his preferred counsel would not be available to him, the effects of the holiday period(s) during which the time to prepare and file and appeal was running, the importance and complexity of the case as illustrated by the UNDT's Judgment, that Mr. Amani has moved promptly including within the appeal period, and the desirability of the Appellant being professionally represented on his appeal, I consider that the circumstances in which this application is brought are exceptional and that it is in the interests of justice that an appropriate extension of the 60-day period is allowed.

7. **IT IS HEREBY ORDERED** that Mr. Amani's request is **GRANTED** and the period in which Mr. Amani may file his appeal is hereby extended to 23 February 2022.

Original and Authoritative Version: English

Dated this 24th day of January 2022
at Auckland, New Zealand.

(Signed)
Judge Graeme Colgan,
President

Entered in the Register on this 24th day
of January 2022 in New York, United States.

(Signed)
Weicheng Lin, Registrar