



UNITED NATIONS APPEALS TRIBUNAL TRIBUNAL D'APPEL DES NATIONS UNIES

Case No. 2022-1664

Louis Savadogo

(Appellant)

v.

Registrar

of the International Tribunal

for the Law of the Sea

(Respondent)

Order No. 445 (2022)

1. Pursuant to a remand order by this Tribunal, the Joint Appeals Board of the International Tribunal for the Law of the Sea (JAB and ITLOS, respectively) reconsidered an appeal filed by Mr. Louis Savadogo, a P-4 Legal Officer, challenging the decision to cancel the recruitment for, and readvertise, the P-5 Head of Legal Office. On 5 November 2021, the three JAB members signed off on the JAB report, in which the JAB found that the contested decision had been lawfully taken and that Mr. Savadogo was not entitled to compensation.

2. On 9 February 2022, Mr. Savadogo appealed the JAB decision to the United Nations Appeals Tribunal (Appeals Tribunal or UNAT). On 11 February 2022, he filed a motion for leave to increase the page limit for his appeal from the statutory 15 pages to 20 pages. He states that he is seeking the page limit increase so that his appeal can address some crucial points and ensure clarity. According to Mr. Savadogo, the JAB that issued the 5 November 2021 report had the same composition as that in 2020; the composition of the JAB had been communicated to him only two days before the issuance of the JAB Report, without giving him an opportunity to comment thereon; and the JAB's November 2021 report had the same content as that of May 2020 without even an appearance of having reconsidered his case as directed by the Appeals Tribunal.

3. The Registrar of ITLOS opposes the motion for the purpose of ensuring procedural economy and the concise nature of the parties' pleadings. In her comments dated 23 February 2022, the Registrar of ITLOS refers to Articles 8(2)(a) and 14 of the UNAT's Rules of Procedure, and states that Mr. Savadogo has not provided sufficient reasons to

show that exceptional circumstances justify an increase to the 15-page page limit. According to the Registrar, Mr. Savadogo has made vague and general assertions, but has failed to explain why he cannot address the “crucial points” in his case, which is not particularly complex, within the 15-page page limit. Nonetheless, the Registrar requests that she be given the same page increase for her answer brief, if Mr. Savadogo’s motion is granted.

4. Article 8(2)(a) of the Rules of Procedure of the Appeals Tribunal (Rules) limits the length of appellate briefs to 15 pages. Article 9(2)(a) sets out the same page limit for answers. Under Article 14, the President of UNAT may waive the requirements of any article of the Rules dealing with written proceedings if the waiver does not affect the substance of the case before the Appeals Tribunal.

5. In addition to the parties’ submissions on the Motion, I have reviewed the appeal document at issue. Without the annexures it is 22 pages in length, and minus the helpful index to the annexures, 21 pages. That is a significant increase on the statutory maximum of 15 pages and there are parts of it covering the background history and facts which could and should be expressed more succinctly to enable the Appeals Tribunal to focus on the Appellant’s legal points.

6. The motion is granted but the Appeal document must be limited to 17 pages excluding the Annexure Index and the Annexures. The Respondent may have the same page-number extension to her answer, the time for the filing of which will begin to run on the date of filing of the Appellant’s amended appeal.

IT IS HEREBY ORDERED that the Appellant’s motion is **GRANTED on the conditions set out in paragraph 6 hereof.**

Original and Authoritative Version: English

Dated this 1st day of March 2022
in Auckland, New Zealand

(Signed)
Judge Graeme Colgan,
President

Entered in the Register on this 1st day of
March 2022 in New York, United States.

(Signed)
Weicheng Lin,
Registrar