



UNITED NATIONS APPEALS TRIBUNAL TRIBUNAL D'APPEL DES NATIONS UNIES

Case No. 2024-1940

IK
(Appellant)

v.

Secretary-General of the United Nations
(Respondent)

Order No. 577 (2024)

1. On 27 May 2024, the United Nations Dispute Tribunal (UNDT or Dispute Tribunal) issued Judgment No. UNDT/2024/034 (impugned Judgment) in the case of *IK v. Secretary-General of the United Nations*, dismissing Mr. IK's application challenging his dismissal from the Office of the United Nations High Commissioner for Refugees (UNHCR).
2. On 7 August 2024, Mr. IK filed an appeal of the impugned Judgment (the appeal was registered as Case No. 2024-1940) before the United Nations Appeals Tribunal (UNAT or Appeals Tribunal) with a 19-page appeal brief. In the appeal form, he requested to submit in excess of the 15-page maximum for appeal briefs.
3. On 7 August 2024, Mr. IK also filed a formal motion to exceed the page limit for his submissions (Motion).
4. In support of his Motion, Mr. IK argues that an extended appeal brief is essential given the complexity and significance of the factual and legal issues involved in the case. He relies on prior UNAT judgments to support his claim, but does not specify which ones. Mr. IK further submits that an extended appeal brief is imperative in the interests of justice to facilitate a detailed examination of the case and to ensure that the Appeals Tribunal reaches a "just decision". Mr. IK also contends that an extended appeal brief would allow him to include grounds of appeal that "have arisen in subsequent submissions and oral hearings".

5. On 16 August 2024, the Secretary-General filed a response to the Motion, requesting the Appeals Tribunal to deny Mr. IK's request.

6. The Secretary-General submits that Mr. IK failed to explain what constitutes the complexity of the case and to identify the issues requiring additional development, thus failing to justify a need to increase the page limit. The Secretary-General further notes that the impugned Judgment is not exceptionally lengthy, being only 20 pages long. In any event, should the Appeals Tribunal grant the Motion, the Secretary-General requests an equivalent number of pages for his answer brief.

7. Article 8(2)(a) of the Rules of Procedure of the Appeals Tribunal (Rules) limits the length of appeal briefs to 15 pages. Article 9(2)(a) of the Rules sets out the same page limit for answers. Under Article 14 of the Rules, the President of the Appeals Tribunal 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 UNAT.

8. I find that the present case is not of such complexity as to justify a waiver of the length of the appeal brief. Mr. IK's submissions to the contrary are solely based on general allegations, which are insufficient to grant his Motion. Therefore, since the page limit set out by the Rules serves the interests of justice, I find it reasonable for Mr. IK to appeal the 20-page impugned Judgment within the statutory limit of 15 pages.¹

IT IS HEREBY ORDERED that Mr. IK's Motion for Leave to File an Extended Appeal Brief is **DENIED** and Mr. IK is **GRANTED** 10 days from the date of this Order to re-file his appeal brief not exceeding 15 pages.

¹ *Applicant v. Secretary-General of the United Nations*, Order No. 380 (2020), para. 6; *Ross v. Secretary-General of the United Nations*, Order No. 355 (2019), para. 6.

Original and Authoritative Version: English

Decision dated this 20th day of August 2024
in Beijing, China.

(Signed)
Judge Gao Xiaoli,
President

Order published and entered in the Register on this 20th day of
August 2024 in New York, United States.

(Signed)
Juliet E. Johnson,
Registrar