



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

Case No. 2012-368

Akello

(Applicant)

v.

Secretary-General of the United Nations

(Respondent)

3. The Secretary-General requests that the Appeals Tribunal exceptionally grant his request to calculate the 60-day time limit for appeal purpose in this case from 28 August 2012, i.e., to permit him to file an appeal by 29 October 2012. In his view, to require OLA to file an appeal by an earlier date “would be contrary to the principle of equality of arms”, because, as counsel for the Secretary-General before the Appeals Tribunal, OLA did not receive the *Akello* Judgment and was not aware of the discontinuation of the past practice, until 28 August 2012.

4. Article 7(1)(c) of the Statute of the Appeals Tribunal provides that an appeal must be filed within 60 calendar days of the receipt of the judgment. Pursuant to Article 7(3) of the Statute of the Appeals Tribunal, “[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”.

5. I believe that the circumstances surrounding the UNDT’s past practice, the delay in notifying OLA of its discontinuation and the lack of response to OLA’s queries are rather exceptional. Considering the limited nature of the extension request, I have decided to grant the present motion4(rbu)-4(na7est)-5(h)-8(imit)-5()-8(imipres)2()-11(le lacknes)2(e-8(imi