Case No. 2011-237

Nyakossi (Appellant)

v.

Secretary-General of the United Nations (Respondent)

Rules,[1] I find that in this particular case, it is in the interests of justice to waive the time limit for filing an answer to the Secretary-General's appeal. The oversight within OSLA was related to the extended absence of a staff member, and upon discovery of the oversight, Chief of OSLA immediately assigned the case to another staff member who filed this Motion the following day. The detailed explanation provided by Mr. Nyakossi in support of his Motion is reasonable and he would be unfairly prejudiced by the aforementioned oversight should he be deprived of the possibility to file his answer.

4.   I have taken great care not to identify the concerned OSLA staff member in this Order and therefore find no merit in Mr. Nyakossi's request that any Order issued in this matter not be published in order to preserve the privacy of the concerned OSLA staff member. However, as a result of these privacy concerns, I order proprio motu that his Motion be placed under seal and classified ex parte.

5.   For the foregoing reasons, I grant Mr. Nyakossi's Motion and order that, under Article 30 of the Rules of the Appeals Tribunal, he shall file an answer to the Secretary-General's appeal, if any, within ten days from receipt of this Order. I further order Mr. Nyakossi to attach a copy of this Order to his answer, if any.

Original and Authoritative Version: English

Dated this 3rd day of November 2011 in Accra, Ghana.   (*Signed*)
                                                                 Judge Adinyira, Duty Judge

Entered in the Register on this 3rd day of November   (*Signed*)
2011 in New York, United States.   Weicheng Lin, Registrar

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[1] *Meron v. Secretary-General of the United Nations*, Order No. 42 (2011), 25 February 2011; *Islam v. Secretary-General of the United Nations*, Order No. 7 (2010), 8 September 2010; *Mezoui v. Secretary-General of the United Nations*, Judgment No. 2010-UNAT-043, 1 July 2010.