



Before: Duty Judge

Registry: Geneva

Registrar: René M. Vargas M.

PUHALOVIC

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**ORDER ON FURTHER
SUSPENSION OF PROCEEDINGS
PENDING MEDIATION EFFORTS**

Counsel for Applicant:

Ana Giulia Stella, OSLA
Dorota Banaszewska, OSLA

Counsel for Respondent:

Bettina Gerber, LPAS, UNOG

Introduction

1. By application filed on 25 October 2022, the Applicant contests the decision to reject her Appendix D claim.
2. By Order No. 110 (GVA/2022) of 18 November 2022, the deadline for the filing of the Respondent's reply was extended to 6 December 2022.
3. By Order No. 121 (GVA/2022) of 7 December 2022, the above-mentioned deadline was extended to 10 January 2023 as the parties were exploring settling the matter under the auspices of the United Nations Ombudsman and Mediation Services ("OMS").
4. Upon the parties' requests dated 10 January 2023, 10 March 2023, 25 April 2023, and 22 May 2023, the Tribunal ordered that the proceedings be suspended until 30 June 2023 pending mediation efforts between the parties.
5. By a joint motion filed on 28 June 2023, the parties seek a further suspension of the proceedings until 31 July 2023, informing the Tribunal that "they have agreed on the specific terms of settlement regarding the case before the Tribunal and the purpose of the present request is to seek authorization of the Controller".

Consideration

6. In support of their motion, the parties point to the complexity of the case and the negotiations relating thereto, as well as to the fact that the Applicant, due to her state of health, needs regular breaks in between mediation sessions. They further put forward that it would take some time to get an authorization from the Controller once they finalize the settlement agreement.
7. The Tribunal is concerned that over nine months from the date of the application will elapse with respect to the latest deadline for suspension of proceedings requested in the motion of 28 June 2023. Nevertheless, noting that the parties have agreed on the concrete terms of a settlement agreement, the Tribunal commends the efforts made by the parties to seek an amicable settlement of their dispute.

8. Considering that art. 10 of its Statute allows the Tribunal to suspend proceedings at the request of the parties for a time to be specified by it in writing, the Tribunal grants the parties' request.

Conclusion

9. In view of the foregoing, IT IS ORDERED THAT:

a. The proceedings before the Tribunal in this matter be further suspended until **Monday, 31 July 2023**;

b. If a mediation agreement is reached within this period, the parties or OMS shall inform the Tribunal accordingly without delay, and the Applicant shall confirm to the Tribunal, in writing, that her application is withdrawn; or

c. If no settlement agreement can be reached within the prescribed period, the parties or OMS shall inform the Tribunal, and the Respondent shall file his reply by **Thursday, 3 August 2023**.

(Signed)

Judge Teresa Bravo (Duty Judge)

Dated this 28th day of June 2023

Entered in the Register on this 28th day of June 2023

(Signed)

René M. Vargas M., Registrar, Geneva