



**Before:** Judge Vinod Boolell  
**Registry:** Nairobi  
**Registrar:** Abena Kwakye-Berko

NDIANGUI

v.

SECRETARY-GENERAL  
OF THE UNITED NATIONS

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**ORDER ON THE PARTIES' JOINT  
MOTION TO SUSPEND  
PROCEEDINGS PENDING  
INFORMAL SETTLEMENT  
DISCUSSIONS**

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**Counsel for the Applicant:**  
Alexandre Tavadian, OSLA

**Counsel for the Respondent:**  
Cristiano Papile, ALS/OHRM  
Miryoung An, ALS/OHRM

## **Introduction**

1. The Applicant is a staff member of the African Union – United Nations Mission in Darfur (UNAMID) based in El Fasher, Sudan. On 28 July 2015, he filed an Application contesting a decision to impose on him disciplinary measures of written censure and demotion by one grade with deferment for one year of eligibility for consideration for promotion.

2. The Respondent filed a Reply to the Application on 26 August 2015.

3. By Order No. 290 (NBI/2015), dated 16 September 2015, the Tribunal set this matter for hearing from 9 to 13 October 2015. The Tribunal further ordered that, by 30 September 2015, the Parties file their lists of witnesses and witness statements, and the Respondent prepare and file an agreed bundle of documents to be referred to during the oral hearing.

4. On 25 September 2015, the Parties moved the Tribunal to suspend proceedings in this matter as they are presently exploring the possibility of resolving this matter informally. The Parties jointly request a postponement of the hearing and of the other deadlines set out in Order No. 290 (NBI/2015), for two months, in order to permit sufficient time to explore informal resolution.

## **Deliberations and Order**

5. The Tribunal commends the Parties for their proactive efforts in having this matter resolved without recourse to litigation.

6. The Tribunal therefore **GRANTS** the Parties' motion for adjournment of proceedings.

7. Pursuant to art. 10.3 of the Statute of the Tribunal, and art. 19 of the Rules of Procedure, the matter of *Ndiangui v Secretary-General of the United Nations* (Case No. UNDT/NBI/2015/085) is hereby **SUSPENDED**.

8. The Parties are **DIRECTED** to jointly advise the Tribunal of the status of their consultations by **30 November 2015**.

Case No. UNDT/NBI/2015/085

Order No. 302 (NBI/2015)

*(Signed)*

Judge Vinod Boolell

Dated this 29<sup>th</sup> day of September 2015

Entered in the Register on this 29<sup>th</sup> day of September 2015

*(Signed)*

Abena Kwakye-Berko, Registrar, Nairobi