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UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NBI/2010/053/R1

Order No.: 012 (NBI/2017)

Date: 20 January 2017

Original: English

Before: Judge Agnieszka Klonowiecka-Milart

Registry: Nairobi

Registrar: Ibama Kwakye-Berko

HUNT-MATTHES

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**ORDER ON THE PARTIES' JOINT
MOTION FOR SUSPENSION OF
PROCEEDINGS**

Counsel for the Applicant:
Nicole Wawerko, OSLA

Counsel for the Respondent:
Lance Benjamin, UNHCR

Procedural History

1. The Applicant is a former staff member of the United Nations High Commissioner for Refugees (UNHCR). She filed an appeal with the former United Nations Administrative Tribunal (former United Nations Administrative Tribunal) challenging UNHCR's decision to not renew her fixed-term appointment on grounds of poor performance.

2. On 1 January 2010, the matter was transferred to the Geneva Registry of the United Nations Dispute Tribunal (UNDT) in accordance with ST/SGB/2009/11 (Transitional measures related to the introduction of the new system of administration of justice). The case was later transferred to the UNDT in Nairobi by Order No. 51 (GVA/2010).

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9. The Applicant filed her application on 18 June 2015.
10. The Respondent filed his reply on 20 July 2015.
11. On 4 August 2016, the Tribunal issued Order No. 408 (NBI/2016) setting this matter down for a CMD. The parties were required to come with their respective client's instructions on their willingness to have this matter mediated or otherwise settled informally.
12. The CMD took place on 20 September 2016. Both parties were represented by Counsel. The Applicant was also present and participated in the discussion.
13. On 21 September 2016, the Tribunal issued Order No. 436 (NBI/2016) recording the contents of the CMD and directed the parties to advise on the likelihood of this matter being settled *inter partes*.
14. On 27 October 2016, the parties filed a motion to inform the Tribunal that they continue to be committed to exploring informal settlement avenues, including by way of external mediation. To that end, the parties moved for proceedings to be suspended by one month.
15. On 7 November 2016, the Tribunal issued Order No. 476(NBI2016) granting the parties' motion and directed that they advise the Tribunal on the status of their consultations by 9 December 2016.
16. On 14 December 2016, the parties sought more time to explore the various options for mediation.
17. The Tribunal granted the parties' motion by way of Order No. 503 (NBI/2016) on 19 December 2016. The parties were directed to advise the Tribunal of the status of their discussions by 19 January 2017.
18. On 19 January 2017, the parties filed the subject motion of the present decision to advise the Tribunal that they are making progress in their consultations on the terms of the mediation process, including on the selection of a mediator,

