



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NBI/2010/034  
/UNAT/1712  
Judgment No.: UNDT/2011/031  
Date: 8 February 2011  
Original: English

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**Before:** Judge Vinod Boolell

**Registry:** Nairobi

**Registrar:** Jean-Pelé Fomété

CHIJARIRA

v.

SECRETARY-GENERAL  
OF THE UNITED NATIONS

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**JUDGMENT**

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**Counsel for applicant:**

Duke Danquah, OSLA

**Counsel for respondent:**

Steven Dietrich, ALS/OHRM, UN Secretariat

## **Introduction**

1. The Applicant filed an application, dated 30 June 2008, with the former UN Administrative Tribunal to contest the non-renewal of her deceased spouse's fixed-term appointment by the International Criminal Tribunal for Rwanda ("ICTR").

2. On 1 January 2010, this case was transferred to 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) and on 13 July 2010, the Parties were ordered to consult with each other and inform the Tribunal whether they were prepared to consider mediation as an option for settling the matter.

3. On 13 September 2010, the parties filed a joint submission indicating their willingness to solve the matter through mediation. Consequently, on 16 September 2010, the Tribunal referred the case to the Mediation Division of the Office of the United Nations Ombudsman and Mediation Services and suspended all formal litigation until 30 September 2010. On 27 September 2010, at the request of the parties, the Tribunal further adjourned the formal litigation to 15 December 2010 and subsequently to 1 February 2011 to allow the parties to reach an amicable solution.

4. On 1 February 2011 the Director, Mediation Services, informed the Tribunal that the matter had been successfully resolved and on 4 February 2011, the parties informed the Tribunal that an agreement had been reached to settle the matter informally. The Applicant therefore filed a signed statement withdrawing her application.

5. **NOTING** the agreement between the parties, and the Applicant's notice of withdrawal, the Tribunal **hereby orders** that the matter of *Chijarira v. Secretary-*

*General of the United Nations*, registered as UNDT/NBI/2010/034/UNAT/1712/, be struck out.

*(Signed)*

Judge Vinod Boolell

Dated this 8<sup>th</sup> day of February 2011

Entered in the Register on this 8<sup>th</sup> day of February 2011

*(Signed)*

Jean-Pelé Fomété, Registrar, UNDT, Nairobi