



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NY/2010/001/
UNAT/1563
Judgment No.: UNDT/2012/063
Date: 3 May 2012
Original: English

Before: Judge Goolam Meeran

Registry: New York

Registrar: Hafida Lahiouel

PHILIPPI

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

JUDGMENT ON RELIEF

Counsel for Applicant:
Self-represented

Counsel for Respondent:
Natalie Boucly, UNDP

Introduction

1. In Judgment No. UNDT/2011/210, issued on 9 December 2011, the Tribunal ordered the parties to notify it within four weeks “if they have reached agreement to settle remedy failing which the Tribunal will decide on what further Orders, if any, to issue to dispose of this case” (para. 40).

2. Given the complexity of the case, the Tribunal granted several extensions of time, in response to the joint request of the parties, to enable them to resolve their differences.

3. By a joint submission dated 23 January 2012, the parties informed the Tribunal that they had reached an agreement, but needed more time to finalise the details.

4. By Order No. 12 (NY/2012) dated 24 January 2012, the Tribunal ordered the parties “to agree, and to submit for the consideration of the Tribunal, the form of words to be incorporated in a final Judgment disposing of this case”.

5. In the absence of a response, by Order No. 68 (NY/2012) dated 27 March 2012, the Tribunal ordered the parties as follows (paras. 7 and 8):

... By 5 April 2012, the parties are to agree, and to submit for the consideration of the Tribunal, the form of words to be incorporated in a final Judgment disposing of this case.

... If the parties are unable to comply with this order by 5 April 2012, they are to provide the Tribunal with a report indicating the nature of the difficulties and to state why the Tribunal should allow more time. Failing this, the Tribunal will convene a hearing on remedy to take place on 19 April 2012.

6. Further extensions of time were granted to enable the parties to conclude their negotiations, which the Tribunal appreciated were not without their particular complications.

7. By Order No. 81 (NY/2012) dated 17 April 2012, the Tribunal ordered the parties, in the interest of certainty and finality, to attend a hearing on 19 April 2012 to discuss the effective disposal of the case.

Consideration

8. At the hearing on 19 April 2012, the Respondent was represented by Ms. Boucly and the Applicant participated by telephone from Guatemala. The Applicant gave evidence in the course of which she was asked by the Tribunal if all outstanding matters arising from her employment with the United Nations were satisfactorily resolved. She replied that they were. She confirmed that there were no further issues to be settled between the parties and that she was satisfied with the outcome.

9. In the circumstances, the Tribunal finds that there has been a final disposal of all outstanding issues arising from the Applicant's employment as a former Resident Representative with the United Nations Development Programme.

Conclusion

10. Terms of settlement have been agreed between the parties, and the Applicant has confirmed that the said terms have been fully implemented and that there are no outstanding claims arising from the employment with the Respondent.

11. In the circumstances, it is the judgment of the Tribunal that the case be closed.

(Signed)

Judge Goolam Meeran

Dated this 3rd day of May 2012

Entered in the Register on this 3rd day of May 2012

(Signed)

Hafida Lahiouel, Registrar, New York