



**Before:** Judge Teresa Bravo  
**Registry:** Geneva  
**Registrar:** René M. Vargas M.

KAPTIJN

v.

REGISTRAR OF THE  
INTERNATIONAL COURT OF JUSTICE

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**ORDER ON FURTHER  
SUSPENSION OF PROCEEDINGS**

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**Counsel for Applicant:**

Geoffrey Roberts

**Counsel for Respondent:**

Jean-Pelé Fométéé, Deputy-Registrar, ICJ

## **Introduction**

1. By application filed on 15 January 2021 and registered under Case No. UNDT/GVA/2021/005, the Applicant, a former staff member of the International Court of Justice (“ICJ”), contests the implied decision not to grant him compensation for harassment.

2. On 18 February 2021, the Respondent filed his reply to the application.

3. By Order No. 131 (GVA/2021) of 30 July 2021, the parties were called to a case management discussion (“CMD”), which took place on 18 August 2021. During the CMD, the parties agreed to resume the mediation process with a view to informally resolving the dispute.

4. By Order No. 134 (GVA/2021) of 19 August 2021, the Tribunal ordered that the proceedings in Case No. UNDT/GVA/2021/005 be suspended during the mediation process until 18 November 2021.

5. On 16 November 2021, the parties filed a joint motion for extension of time for mediation until 17 December 2021, in which they requested the Tribunal to suspend the proceedings in this matter during the same period.

6. By Order No. 170 (GVA/2021) of 16 November 2021, the Tribunal granted the motion.

7. On 13 December 2021, the parties filed another joint motion for extension of time for mediation until 17 March 2022, in which they jointly requested the Tribunal to suspend the proceedings in this matter during the same period.

## **Consideration**

8. In support of their motion, the parties submit that the mediation process will greatly benefit from the outcome of the review currently being carried out by the Advisory Body on Compensation Claims as well as information expected from the United Nations Joint Staff Pension Fund and thus additional time will be necessary to continue the mediation.

9. Having reviewed the parties' submission, considering the circumstances invoked by the parties, and for a fair and expedited disposal of the present case, the Tribunal considers it appropriate to grant the motion pursuant to art. 19 of its Rules of Procedure.

IT IS ORDERED THAT:

10. The proceedings before the Tribunal in Case No. UNDT/GVA/2021/005 be further suspended during the mediation process until **Thursday, 17 March 2022**.

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

12. If no settlement agreement can be reached within the prescribed period, the parties or the Mediation Division shall inform the Tribunal, which will resume proceedings in the matter, unless otherwise requested and decided.

*(Signed)*

Judge Teresa Bravo

Dated this 14<sup>th</sup> day of December 2021

Entered in the Register on this 14<sup>th</sup> day of December 2021

*(Signed)*

René M. Vargas M., Registrar, Geneva