



Before: Duty Judge

Registry: Geneva

Registrar: René M. Vargas M.

PUHALOVIC

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**ORDER ON
SUSPENSION OF PROCEEDINGS
PENDING MEDIATION EFFORTS**

Counsel for Applicant:

Ana Giulia Stella, OSLA

Counsel for Respondent:

Bettina Gerber, LPAS, UNOG

Introduction

1. By application filed on 25 October 2022, the Applicant contests the decision to reject her Appendix D claim.
2. On 26 October 2022, the application was served on the Respondent with a deadline for reply set to 25 November 2022. By Order No. 110 (GVA/2022) of 18 November 2022, this deadline was extended to 6 December 2022.
3. By motion filed on 6 December 2022, the Respondent sought a further extension of the deadline to file his reply on the ground that the parties were exploring settling the matter under the auspices of the United Nations Ombudsman and Mediation Services (“OMS”). By Order No. 121 (GVA/2022) of 7 December 2022, said deadline was extended to 10 January 2023.
4. By motion filed on 10 January 2023, the Respondent seeks a further extension of the deadline to file his reply or, alternatively, the suspension of proceedings pursuant to art. 15 of the Tribunal’s Rules of Procedure.

Consideration

5. In support of his motion, the Respondent submits that the parties are still actively engaged in the mediation process under the auspices of OMS. The Tribunal takes note of this and recalls that the General Assembly has consistently encouraged alternative dispute resolution.
6. Having examined the case record and guided by arts. 15.3, 15.4 and 15.5 of its Rules of Procedure, the Tribunal finds that it is in the interest of justice to give the parties sufficient time to focus on their settlement efforts by suspending the proceedings for a three-month period counted as of 7 December 2022.

Conclusion

7. In view of the foregoing, IT IS ORDERED THAT:
 - a. The proceedings before the Tribunal in this matter be suspended during the parties’ mediation discussions under the auspices of OMS until **Tuesday, 7 March 2023;**

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accordingly without delay, and the Applicant shall confirm to the Tribunal, in writing, that her application is withdrawn; or

c. If no settlement agreement can be reached within the prescribed period, the parties or OMS shall inform the Tribunal, and the Respondent shall file his reply by **Friday, 10 March 2023**.

(Signed)

Judge Teresa Bravo (Duty Judge)

Dated this 11th day of January 2023

Entered in the Register on this 11th day of January 2023

(Signed)

René M. Vargas M., Registrar, Geneva