



**Before:** Duty Judge

**Registry:** Geneva

**Registrar:** René M. Vargas M.

PUHALOVIC

v.

SECRETARY-GENERAL  
OF THE UNITED NATIONS

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

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**Counsel for Applicant:**

Ana Giulia Stella, OSLA  
Dorota Banaszewska, 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. By Order No. 110 (GVA/2022) of 18 November 2022, the deadline for the filing of the Respondent's reply was extended to 6 December 2022.
3. By Order No. 121 (GVA/2022) of 7 December 2022, the above-mentioned deadline was extended to 10 January 2023 as the parties were exploring settling the matter under the auspices of the United Nations Ombudsman and Mediation Services ("OMS").
4. Upon the parties' requests dated 10 January 2023, 10 March 2023 and 25 April 2023, the Tribunal ordered that the proceedings be suspended until 31 May 2023 pending mediation efforts between the parties.
5. By a joint motion filed on 22 May 2023, the parties seek a further suspension of the proceedings until 30 June 2023, informing the Tribunal that they are still "engaged in the mediation process under the auspices of OMS in New York" and "discussing the concrete terms of a settlement agreement".

## **Consideration**

6. In support of their motion, the parties point to the complexity of the case and the negotiations relating thereto, as well as to the fact that the Applicant, due to her state of health, needs regular breaks in between mediation sessions. They further put forward that it might take some time to get an authorization from the Controller once they finalize the settlement agreement.
7. The Tribunal is concerned that over eight months from the date of the application will elapse with respect to the latest deadline for suspension of proceedings requested in the motion of 22 May 2023. Nevertheless, noting that the parties are currently discussing the concrete terms of a settlement agreement, the Tribunal commends the efforts made by the parties to seek an amicable settlement of their dispute.

8. Considering that art. 10 of its Statute allows the Tribunal to suspend proceedings at the request of the parties for a time to be specified by it in writing, the Tribunal grants the parties' request.

### **Conclusion**

9. In view of the foregoing, IT IS ORDERED THAT:

a. The proceedings before the Tribunal in this matter be further suspended during the parties' mediation discussions under the auspices of OMS until **Friday, 30 June 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 **Monday, 3 July 2023**.

*(Signed)*

Judge Teresa Bravo (Duty Judge)

Dated this 24<sup>th</sup> day of May 2023

Entered in the Register on this 24<sup>th</sup> day of May 2023

*(Signed)*

René M. Vargas M., Registrar, Geneva