



Before: Duty Judge

Registry: Geneva

Registrar: René M. Vargas M.

AMBOGA-RIMMELE

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**ORDER
ON CASE MANAGEMENT**

Counsel for Applicant:

Sètondji Roland Adjovi, Etudes Vihodé Ltée
Anthony Kreil Wilson, Etudes Vihodé Ltée

Counsel for Respondent:

Maureen Munyolo AS/ALD/OHR, UN Secretariat

Introduction

1. On 30 December 2022, the Applicant, a Political Affairs Officer with the United Nations Assistance Mission in Afghanistan (“UNAMA”) under a temporary appointment, applied for the positions of Political Affairs Officer in the Bamyan and Kandahar Offices, advertised under Recruit-from-Roster (“RfR”) Job Opening (“JO”) 198309.
2. On 24 February 2023, the Applicant noted in Inspira that the status of JO 198309 had changed to “Filled from Roster”. She did not receive any email confirming that her candidacy for the JO had not been successful, despite her being in the Roster and being informed on 15 February 2023 that the issues with her Inspira account had been resolved, and her application had been screened in for consideration by the hiring manager.
3. On 27 February 2023, the Applicant submitted a request for management evaluation of the non-selection decision and the fact that she had not received full and fair consideration for the position, particularly given that she was the incumbent of the position and had been performing its exact functions since the beginning of her temporary appointment on 11 July 2022.
4. On 28 February 2023, the Applicant’s temporary appointment expired, and she was separated from the Organization.
5. On 4 April 2023, the Applicant received the response to her request for management evaluation, which upheld the non-selection decision.
6. On 28 June 2023, the Applicant filed the instant application against the contested decision.
7. On 3 July 2023, the application was served on the Respondent, who has until 2 August 2023 to file his reply.
8. On 21 July 2023, the parties filed a joint motion to suspend the proceedings pending ongoing discussions to settle the matter informally.

Consideration

9. In their joint motion, the parties submit that they have agreed to enter into informal settlement discussions. As a result of this, they request a suspension of the proceedings for 30 days, until 21 August 2023, and an extension of the deadline for filing the Respondent's reply until 1 September 2023, pending the conclusion of their ongoing discussions.

10. The Tribunal takes note of the above and recalls that the General Assembly has consistently encouraged alternative dispute resolution.

11. 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 30 days, as requested.

Conclusion

12. In view of the foregoing, it is ORDERED THAT:

- a. The proceedings before the Tribunal in this matter be suspended during the parties' informal settlement discussions until **Monday, 21 August 2023**; and
- b. If a mediation agreement is reached within this period, the parties 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 shall inform the Tribunal, and the Respondent shall file his reply by **Friday, 1 September 2023**.

(Signed)

Judge Sun Xiangzhuang (Duty Judge)

Dated this 24th day of July 2023

Case No. UNDT/GVA/2023/034

Order No. 82 (GVA/2023)

Entered in the Register on this 24th day of July 2023

(Signed)

René M. Vargas M., Registrar, Geneva