



Before: Duty Judge
Registry: Geneva
Registrar: René M. Vargas M.

BANAJ

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**ORDER ON
MOTION FOR EXTENSION OF TIME
TO FILE AN APPLICATION**

Counsel for Applicant:

Ludovica Moro

Counsel for Respondent:

UNDP

Introduction

1. By motion filed on 7 August 2023, the Applicant seeks an extension of 90 days to file an application contesting the decision to abolish her post following the closure of the United Nations Office on Drugs and Crime (“UNODC”) Office in Albania.

2. The Applicant was a former staff member of the UNODC, but her contract was administered by the United Nations Development Programme (“UNDP”). The evidence on record shows that the contested decision was made by UNODC and UNDP.

Consideration

3. Pursuant to art. 8.1(d)(i)(a) of the Tribunal’s Statute and art. 7.1(a) of its Rules of Procedure, an application shall be receivable if it is filed within 90 calendar days of the applicant’s receipt of the management evaluation. The evidence on record shows that the Applicant received a response to her management evaluation request on 11 May 2023. The deadline to file her application thus expires on Wednesday, 9 August 2023.

4. In support of her request, the Applicant submits that the Office of the Ombudsman for United Nations Funds and Programmes is actively mediating between the parties to find a suitable compromise and discuss the terms of a possible mutually agreed settlement. She further informs the Tribunal that both parties are interested in continuing the mediation process, and, accordingly, requests an extension of time to file an application to preserve her right before the Tribunal pending mediation.

5. Considering that the General Assembly has consistently encouraged the amicable settlement of disputes, the Tribunal commends both parties for their good faith efforts in this respect.

6. Given the above and pursuant to arts. 19.1 and 35 of its Rules of Procedure, the Tribunal considers it appropriate to grant the Applicant's motion.

Conclusion

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

- a. The Applicant's motion for extension of time to file an application is granted;
- b. If a settlement agreement is reached, the Applicant shall so inform the Tribunal accordingly without delay and confirm in writing that her application, registered under Case No. UNDT/GVA/2023/038, is withdrawn; or
- c. If no settlement agreement is reached, the Applicant shall file her application by **Tuesday, 7 November 2023**.

(Signed)

Judge Sun Xiangzhuang (Duty Judge)

Dated this 9th day of August 2023

Entered in the Register on this 9th day of August 2023

(Signed)

René M. Vargas M., Registrar, Geneva