



Before: Duty Judge

Registry: Geneva

Registrar: René M. Vargas M.

SOPHOCLEOUS

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**ORDER ON
SUSPENSION OF PROCEEDINGS**

Counsel for Applicant:

George Irving

Counsel for Respondent:

Isavella Maria Vasilogiorgi, DAS/ALD/OHR, UN Secretariat

Introduction

1. The Applicant, a staff member of the United Nations Office on Drugs and Crime, contests the decision to impose on him the disciplinary measure of demotion by one grade with deferment for three years of consideration for eligibility for promotion, in accordance with staff rule 10.2(a)(vii), as well as the administrative measure of requiring him to undertake a gender sensitivity training, in accordance with staff rule 10.2(b).
2. On 11 July 2023, the Respondent filed his reply.
3. By Order No. 121 (GVA/2023) of 15 September 2023, the Tribunal, *inter alia*, ordered the Applicant to file a rejoinder by 27 September 2023, and invited the Respondent to file his comments thereon by 10 October 2023.
4. By the same Order, the Tribunal also instructed the parties to explore resolving the dispute amicably and revert to it in this respect by 19 October 2023.
5. On 19 September 2023, the Applicant filed a motion for extension of time until 23 October 2023 to submit his rejoinder.
6. By Order No. 127 (GVA/2023) of 22 September 2023, the Tribunal granted the Applicant's motion in part, instructed him to file a rejoinder by 13 October 2023, and invited the Respondent to file his comments thereon by 23 October 2023.
7. On 13 October 2023, the Applicant filed his rejoinder together with three lengthy annexes.
8. On 19 October 2023, the Respondent filed a motion for extension of time to submit his response to the Applicant's rejoinder.
9. By email of 23 October 2023, the Tribunal granted the Respondent's motion and instructed him to file his comments on the Applicant's rejoinder by 13 November 2023.

10. By the same email, the Tribunal reminded the parties of their obligation to inform it about their amicable resolution efforts and instructed them to revert to it on this issue by 26 October 2023.

11. On 26 October 2023, the parties filed a joint motion for suspension of proceedings pending informal settlement discussions, in which they requested the Tribunal to suspend the proceedings until 17 November 2023 and adjust any pending deadlines accordingly.

Consideration

12. In support of their motion, the parties submit that while they have engaged in settlement discussions, more time will be required to enable them to reach a mutually agreed outcome.

13. Recalling that the amicable settlement of disputes is encouraged and is important, especially in circumstances where there is an ongoing employment relationship, the Tribunal commends the efforts made by the parties to seek an amicable settlement of their dispute.

14. 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 thus grants the parties' request.

Conclusion

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

a. The proceedings before the Tribunal in Case No. UNDT/GVA/2023/032 be suspended during informal settlement discussions until **Friday, 17 November 2023**;

b. If a settlement 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 his application is withdrawn; or

c. If no settlement agreement can be reached within the prescribed period, the Tribunal will resume proceedings in the matter and the Respondent shall file his comments on the Applicant's rejoinder by **Friday, 8 December 2023**.

(Signed)

Judge Sun Xiangzhuang (Duty Judge)

Dated this 27th day of October 2023

Entered in the Register on this 27th day of October 2023

(Signed)

René M. Vargas M., Registrar, Geneva