



**Before:** Duty Judge

**Registry:** Geneva

**Registrar:** René M. Vargas M.

FERGUSON

v.

SECRETARY-GENERAL  
OF THE UNITED NATIONS

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**ORDER  
ON CASE MANAGEMENT**

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**Counsel for Applicant:**

Robbie Leighton, OSLA

**Counsel for Respondent:**

Bettina Gerber, HRLU, UNOG

## **Introduction**

1. By application filed on 20 December 2023, the Applicant, a staff member of the United Nations Conference on Trade and Development (“UNCTAD”), contests the decision not to investigate his complaint of harassment and abuse of authority against his supervisor.
2. On 19 January 2024, the Respondent filed his reply.
3. By Order No. 23 (GVA/2024), the Tribunal instructed the Applicant to file a rejoinder by 15 April 2024, and encouraged the parties to explore amicable settlement asking them to revert back to the Tribunal in this respect by 22 April 2024.
4. On 9 April 2024, the parties filed a joint motion for suspension of proceedings.
5. By Order No. 29 (GVA/2024), the Tribunal granted the parties’ joint motion and suspended the proceedings until 11 June 2024.
6. On 11 June 2024, the parties filed a second joint motion for further suspension of proceedings.

## **Consideration**

7. In support of their motion, the parties informed the Tribunal that they are currently engaged in informal settlement negotiations, and requested a further suspension of the proceedings of one-month to give them enough time to conclude negotiations.
8. The Tribunal takes note of the above and recalls that the General Assembly has consistently encouraged alternative dispute resolution.
9. 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 further suspending the proceedings as requested.

## **Conclusion**

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

- a. The proceedings before the Tribunal in this matter be further suspended during the parties' informal settlement discussions until **Thursday, 11 July 2024**; and
- 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accordingly without delay, and the Applicant shall confirm to the Tribunal, in writing, that his application is withdrawn; or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 parties shall inform the Tribunal, and the Applicant shall file his rejoinder by **Friday, 19 July 2024**.

*(Signed)*

Judge Sun Xiangzhuang (Duty Judge)

Dated this 14<sup>th</sup> day of June 2024

Entered in the Register on this 14<sup>th</sup> day of June 2024

*(Signed)*

Liliana López Bello, Legal Officer, for René M. Vargas M., Registrar, Geneva