



**Before:** Judge Vinod Boolell

**Registry:** Nairobi

**Registrar:** Abena Kwakye-Berko

NYAGAMUKENGA

v.

SECRETARY-GENERAL  
OF THE UNITED NATIONS

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**ORDER ON THE PARTIES' JOINT  
MOTION TO SUSPEND  
PROCEEDINGS PENDING  
INFORMAL SETTLEMENT  
DISCUSSIONS**

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**Counsel for the Applicant:**

Robbie Leighton, OSLA

**Counsel for the Respondent:**

Steven Dietrich, ALS/OHRM  
Alister Cumming, ALS/OHRM

### **The Application and Procedural History**

1. The Applicant is Language Assistant on a fixed term appointment at the FS5 level at the United Nations International Criminal Tribunal for Rwanda (ICTR).
2. On 12 June 2015, the Applicant filed an Application with the United Nations Dispute Tribunal (UNDT) in Nairobi challenging the Respondent's decision to recover education payments made to her for the periods 2010-2011, 2012-2013 and the subsequent decision to not pay her the education grant for the period 2013-2014.
3. On 8 July 2015, the Parties moved the Tribunal to suspend proceedings in this matter pending the outcome of ongoing informal settlement discussions. The Parties believe that a suspension of proceedings would serve both their interests and that of the Tribunal; they therefore request that the deadline for the filing of the Respondent's Reply be extended by one month.

### **Deliberations and Order**

4. The Tribunal commends the Parties for their proactive efforts in having this matter resolved without recourse to litigation.
5. The Tribunal therefore **GRANTS** the Parties' motion for adjournment of proceedings.
6. Pursuant to art. 10.3 of the Statute of the Tribunal, and art. 19 of the Rules of Procedure, the matter of *Nyagamukenga v Secretary-General of the United Nations* (Case No. UNDT/NBI/2015/063) is hereby **SUSPENDED**.
7. The Parties are **DIRECTED** to jointly advise the Tribunal of the status of their consultations by **14 August 2015**.

8. The deadline for the filing of the Respondent's Reply is likewise extended to **14 August 2015.**

*(Signed)*

Judge Vinod Boolell

Dated this 13<sup>th</sup> day of July 2015

Entered in the Register on this 13<sup>th</sup> day of July 2015

*(Signed)*

Legal Officer, for,  
Abena Kwakye-Berko, Registrar, Nairobi