



Before: Judge Agnieszka Klonowiecka-Milart

Registry: Nairobi

Registrar: Abena Kwakye-Berko

KIGOZI

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**ORDER ON THE PARTIES' JOINT
MOTION FOR SUSPENSION OF
PROCEEDINGS**

Counsel for the Applicant:

Daniel Trup, OSLA

Counsel for the Respondent:

Nicole Wynn, AAS/ALD/OHR

Rosangela Adamo, AAS/ALD/OHR

Introduction

1. At the time of the contested decision, the Applicant was a Transport Assistant at the G-4/10 level working with the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), based in Entebbe, Uganda.

2. On 20 April 2018, the Applicant filed an application with the United Nations Dispute Tribunal (UNDT) challenging the decision to abolish his post and terminate his fixed-term appointment.

3. The Respondent filed a reply to the application on 24 May 2018.

4. On 14 August 2019, the Tribunal issued Order No. 118 (NBI/2019) directing the parties to file further submissions. The Applicant was directed to file his submissions by 11 September 2019 and the Respondent by 30 September 2019.

5. The Applicant complied and filed his submissions on 4 September 2019.

6. On 26 September 2019, the parties filed a joint motion informing the Tribunal that they were engaged in good faith efforts to informally resolve the dispute. Accordingly, the parties requested for suspension of proceedings for 30 days and the extension of the deadline for the Respondent to file the response to Order No. 118 (NBI/2019) until 30 October 2019 in the event that settlement discussions are unsuccessful.

7. By Order No. 148 (NBI/2019), the Tribunal suspended the proceedings until 30 October 2019 and extended the deadline for the Respondent to file the reply until 30 October 2019.

8. On 18 October 2019, the parties filed a second joint motion informing the Tribunal that they are making substantial progress toward a settlement, but still need more time to conclude the settlement discussions. Accordingly, the parties requested for suspension of proceedings for 30 days from the current deadline and to extend the

date for the Respondent's response to Order No. 118 (NBI/2019) until 29 November 2019 in the event that settlement discussions are unsuccessful.

DIRECTIONS

9. The Tribunal makes the following **ORDERS**:
- i. The proceedings before the Tribunal in this matter are suspended until **29 November 2019** for the purposes of allowing the parties to informally resolve the dispute;
 - ii. If a settlement agreement is reached within this period, the parties shall inform the Tribunal accordingly without delay, and the Applicant shall subsequently confirm to the Tribunal, in writing, that his application is withdrawn;
 - iii. If no settlement can be reached within the prescribed period, the parties shall inform the Tribunal, which will resume the proceedings in the matter; and
 - iv. The deadline for the Respondent to file the response to Order No. 118 (NBI/2019) is extended to **5.00 p.m** on 29 November 2019.

(Signed)

Judge Agnieszka Klonowiecka-Milart

Dated this day of 22nd October 2019

Entered in the Register on this day of 22nd October 2019

(Signed)

Abena Kwakye-Berko, Registrar, Nairobi