



Before: Judge Sean Wallace
Registry: Nairobi
Registrar: René M. Vargas M., Officer-in-Charge

KERDI

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**ORDER ON
THE PARTIES' JOINT MOTION
FOR FURTHER SUSPENSION OF
PROCEEDINGS PENDING
SETTLEMENT DISCUSSIONS**

Counsel for Applicant:

Manuel J. Ventura

Counsel for Respondent:

Miryoung An, DAS/ALD/OHR, UN Secretariat

Introduction

1. The Applicant is a former Field Security Assistant at the G-4 level with the United Nations Interim Force in Lebanon. On 20 June 2023, he filed an application contesting the decision to impose on him the disciplinary measure of separation from service with compensation in lieu of notice and without termination indemnity, pursuant to staff rule 10.2, for his alleged involvement in a verbal and physical assault on 4 September 2021, in Beirut.
2. The Respondent filed a reply on 26 July 2023 in which he contends that the application has no merit and should be rejected.
3. At a case management discussion on 27 September 2023, the parties were strongly encouraged to consider their respective positions with regards to resolution of this dispute without recourse to further litigation.
4. On 14 February 2024, the parties jointly moved the Tribunal for temporary suspension of proceedings “to make further efforts to settle this case”.
5. The Tribunal issued Order No. 28 (NBI/2024) on 28 February 2024 granting the motion and suspending this matter until 8 March 2024.
6. On 7 March 2024, the parties jointly moved the Tribunal for extension of time to “conclude their discussions” given the progress that has been made thus far.

Consideration

7. The Tribunal commends the parties for their sustained efforts at resolving this dispute *inter partes* and without recourse to further litigation.

Conclusion

8. In view of the foregoing, it is ORDERED that:
 - a. The parties’ joint motion is granted;

b. The proceedings before the Tribunal in the matter of *Kerdi v Secretary-General of the United Nations*, registered under Case No. UNDT/NBI/2023/041, is hereby suspended until **Thursday, 4 April 2024**; and

c. If a settlement agreement is reached by the above date, 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accordingly without delay, and the Applicant shall confirm to the Tribunal, in writing, that his application is withdrawn; or

d. If no settlement agreement can be reached within the period of suspension of proceedings, the parties shall inform the Tribunal by **Thursday, 4 April 2024**.

(Signed)

Judge Sean Wallace

Dated this 8th day of March 2024

Entered in the Register on this 8th day of March 2024

(Signed)

René M. Vargas M., Officer-in-Charge, Nairobi