



Before: Judge Ebrahim-Carstens, Duty Judge

Registry: New York

Registrar: Hafida Lahiouel

ORTAYLI

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

ORDER

ON CASE MANAGEMENT

Counsel for Applicant:
Anita Saran, OSLA

Counsel for Respondent:
Alejo Eiriz, UNFPA

1. On 11 April 2013, the Applicant, a technical advisor with the United Nations Population Fund (“UNFPA”) in New York at the P-5/8 level, filed a substantive application contesting, *inter-alia*, "rejection of [the Applicant's] request for an exception from the Travel Policy granting business class air travel only for itineraries beyond the duration of nine (9) hours. UNFPA's decision was based on the recommendation of the UN Medical Services Division (MSD)”. In the application, the Applicant seeks “rescission of the decision by UNFPA rejecting her request for an exception from its Travel Policy granting business class air travel only for itineraries beyond the duration of nine hours”. The Applicant also seeks to be granted “an exception from UNFPA's Travel Policy for all mission travel exceeding a five (5) hour duration in order to permit her business class air travel for such journeys until such time that her current medical condition improves, as determined by her attending physicians and, as required, in consultation with the appropriate UN authorities”.

2. On 8 May 2013, the Respondent filed a reply challenging not only the scope and merits of the Applicant's case, but also submitting that the matter be declared not receivable, as the decision not to grant the Applicant business class travel and an open-ended exception for all future travel, does not necessarily affect the Applicant's terms of appointment or contract of employment.

3. Having considered the application and the reply, and having noted the issues in contention, the Tribunal makes the following order for a fair and expeditious disposal of the proceedings.

IT IS ORDERED THAT:

4. On or before **5:00 p.m., Friday 19 July 2013**, the parties are to file a jointly signed statement responding under separate headings to each of the following issues. Where there is a disagreement over an issue, fact or statement, the submission shall identify the parties’ respective positions:

- a. A list of, if any, of agreed legal issues;
 - b. A consolidated list of agreed facts in chronological order;
 - c. Whether the parties are amenable to resolving the matter informally either through the Mediation Division or through *inter partes* discussions.
5. Following the filing of the joint submission, unless the parties agree to attempt informal resolution of the matter, all judicial case management shall be stayed pending further order or the assignment of this case to a judge for further consideration, including case management orders or discussions with a view to a judicial determination or settlement.

(Signed)

Judge Ebrahim-Carstens

Dated this 23rd day of May 2013