



Before: Judge Alexander W. Hunter, Jr.

Registry: New York

Registrar: Hafida Lahiouel

TIEFENBACHER

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

ORDER

ON SUSPENSION OF PROCEEDINGS

Counsel for Applicant:
Michael Brazao, OSLA

Counsel for Respondent:
Thomas Jacob, UNDP
Esther Shamash, UNDP

Introduction

1. On 15 February 2016, the Applicant, a former D-1 level permanent staff member of the United Nations Development Programme (“UNDP”), filed an application contesting the decision not to “award [him]” the position of Directorate Manager, Bureau of Programme and Policy Support, UNDP. The Applicant submits, in essence, that the contested decision was procedurally flawed and tainted by bias against him.

2. On 16 March 2016, the Respondent filed a reply to the application, submitting that the contested decision was lawful and that the Applicant’s claims are without merit.

3. This case was assigned to the undersigned Judge on 1 July 2016.

4. By Order No. 167 (NY/2016), dated 11 July 2016, the Tribunal directed the parties to file further submissions and also invited them to consider informal resolution of the dispute.

5. On 19 July 2016, the Respondent filed a submission on behalf of both parties, requesting suspension of the proceedings until 30 August 2016 in order to allow the parties to undertake informal settlement discussions.

Consideration

6. The Tribunal commends both parties for their efforts to reach amicable resolution of the dispute.

7. Pursuant to art. 19 of the Dispute Tribunal’s Rules of Procedure, the Tribunal considers it appropriate and in the interests of a fair disposal of the case to make the following orders.

IT IS ORDERED THAT:

8. The proceedings are hereby suspended until **Tuesday, 30 August 2016**.

9. By **5 p.m., Tuesday, 30 August 2016**, the parties shall file a joint submission stating whether they have reached an agreement or whether they seek additional time to conclude their discussions. Should the parties reach an agreement, the Applicant shall file a motion withdrawing his application fully and finally, without liberty to reinstate.

(Signed)

Judge Alexander W. Hunter, Jr.

Dated this 19th day of July 2016