



Before: Judge Alexander W. Hunter, Jr.

Registry: New York

Registrar: Hafida Lahiouel

GOUIN

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

ORDER

**ON REFERRAL TO MEDIATION AND
SUSPENSION OF PROCEEDINGS**

Counsel for Applicant:
Self-represented

Counsel for Respondent:
Steven Dietrich, ALS/OHRM, UN Secretariat
Alister Cumming, ALS/OHRM, UN Secretariat

Introduction

1. By Order No. 189 (NY/2016) dated 4 August 2016, the Tribunal stated that, having considered the issues arising in this case, the Tribunal was of the view that the case may be amenable to informal and amicable resolution. The Tribunal stated that the parties are free to attempt informal resolution of the dispute in this case through the Office of the United Nations Ombudsman and Mediation Services or via *inter partes* discussions and may request suspension of the proceedings in this regard. In the absence of such a request, the Tribunal would proceed with its consideration of this matter, with a view to the fair and efficient disposal of the case. The Tribunal ordered the parties to file a jointly-signed statement addressing a number of issues by 5:00 p.m. on 11 August 2016.

2. On 10 August 2016, the Respondent filed a motion requesting an extension of time to comply with Order No. 189 (NY/2016) until 22 August 2016.

3. By Order No. 195 (NY/2016) dated 10 August 2016, the Tribunal granted the motion for extension of time in part, ordering the parties to comply by 5:00 p.m. on 19 August 2016 with Order No. 189 (NY/2016) regarding the filing of a jointly-signed statement.

4. On 18 August 2016, the parties filed a joint motion for referral to mediation, stating that they wish to engage in efforts to resolve the case informally. Accordingly, the parties requested that the Tribunal refer the case to the Mediation Division of the Office of the United Nations Ombudsman and Mediation Services and suspend proceedings for a period of one month.

Consideration

5. The Tribunal finds it appropriate to refer this case to the Mediation Division of the Office of the United Nations Ombudsman and Mediation Services and to suspend the present proceedings for one month, as requested by the parties, to

facilitate informal resolution of the case. The Tribunal appreciates that the Mediation Division and the parties will take all appropriate steps to ensure that this case is resolved in the most expeditious manner possible.

6. The Tribunal commends both parties for their good faith efforts aimed at resolving the cases amicably. Such efforts should be encouraged as amicable resolution of cases saves the valuable resources of staff and the Organization and contributes to a harmonious working relationship between the parties.

IT IS ORDERED THAT:

7. The present case is hereby referred to the Mediation Division of the Office of the United Nations Ombudsman and Mediation Services pursuant to art. 15 of the Tribunal's Rules of Procedure.

8. The proceedings in the present case are hereby suspended until **Monday, 19 September 2016**.

9. On or before **Monday, 19 September 2016**, the parties or the Mediation Division shall inform the Tribunal as to whether the case has been resolved.

(Signed)

Judge Alexander W. Hunter, Jr.

Dated this 18th day of August 2016