



**Before:** Judge Alexander W. Hunter, Jr.

**Registry:** New York

**Registrar:** Hafida Lahiouel

GOUIN

v.

SECRETARY-GENERAL  
OF THE UNITED NATIONS

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**ORDER**

**ON CASE MANAGEMENT**

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**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 matter may be amenable to informal and amicable resolution. The Tribunal stated that the parties were free to attempt informal resolution of the dispute 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. However, in the absence of such a request, the Tribunal would proceed with its consideration of the matter. In this regard, the Tribunal ordered the parties to file a jointly-signed statement providing further information on a number of issues.

2. On 18 August 2016, the parties filed a joint motion for referral to mediation, stating that they wished to engage in efforts to resolve this 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.

3. By Order No. 201 (NY/2016) dated 18 August 2016, the Tribunal ordered that this case be referred to the Mediation Division of the Office of the United Nations Ombudsman and Mediation Services. The Tribunal also suspended proceedings until Monday, 19 September 2016 and ordered the parties or the Mediation Division to inform the Tribunal by this date as to whether the case has been resolved. However, due to an oversight, Order No. 201 (NY/2016) was not transmitted to the Mediation Division.

4. On 19 September 2016, Counsel for the Respondent filed a response to Order No. 201 (NY/2016) stating that they do not have any information as to whether this case has been resolved.

5. On the same day, the Applicant filed a response to Order No. 201 (NY/2016) stating that he had not been contacted by the Mediation Division. He further stated

that “although he embraced every single opportunity to resolve the issue through discussions and informal mediation, he has now, almost one year after having filed for Management Evaluation Review, lost any hopes that the issues submitted to the Tribunal could be solved through mediation.”

### **Consideration**

6. In light of the Applicant’s response to Order No. 201 (NY/2016), in which he stated, essentially, that he no longer considers the issues in this case amenable to informal resolution through mediation, the Tribunal does not consider it appropriate to order a further suspension of proceedings and the referral of this matter to the Mediation Division.

7. The Tribunal will proceed with its consideration of the issues in this case and the parties are to respond to the Tribunal’s request for further information as set out in para. 8 of Order No. 189 (NY/2016).

IT IS ORDERED THAT:

8. By **5:00 p.m. on Thursday, 29 September 2016**, the parties are to file a jointly signed statement responding concisely under separate headings to each of the issues identified in para. 8 of Order No. 189 (NY/2016).

*(Signed)*

Judge Alexander W. Hunter, Jr.

Dated this 20<sup>th</sup> day of September 2016