



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NY/2017/086-  
R1  
Order No.: 124 (NY/2020)  
Date: 3 August 2020  
Original: English

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**Before:** Judge Joelle Adda  
**Registry:** New York  
**Registrar:** Nerea Suero Fontecha

RUYFFELAERE

v.

SECRETARY-GENERAL  
OF THE UNITED NATIONS

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**ORDER ON  
REFERRAL TO MEDIATION**

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**Counsel for Applicant:**  
Self-represented

**Counsel for Respondent:**  
Alan Gutman, ALD/OHR, UN Secretariat

## **Introduction**

1. On 23 August 2017, the Applicant filed an application contesting the implied decision by the Administration not to formally respond to his request to establish a fact-finding panel pursuant to ST/SGB/2008/5 (Prohibition of discrimination, harassment, including sexual harassment, and abuse of authority).

2. On 14 May 2019, the Dispute Tribunal issued Judgment No. UNDT/2019/084 finding the application non-receivable. The Applicant then filed an appeal and, on 27 March 2020, the United Nations Appeals Tribunal, in Judgment No. 2020-UNAT-993, granted the Applicant's appeal and remanded the case to the Dispute Tribunal for a trial on the merits.

3. On 3 August 2020, the Director of the Office of the United Nations Ombudsman and Mediation Services informed the Tribunal that both parties would like the matter to be referred to mediation. Accordingly, on behalf of the parties, the Director requested the Tribunal to issue an order referring the case to mediation to the Mediation Division of the Office of the United Nations Ombudsman and Mediation Services.

## **Consideration**

4. The Tribunal finds it appropriate to refer the case to the Mediation Division and to grant the parties three months in order to facilitate informal resolution of the case.

5. The Tribunal commends both parties for their good faith efforts aimed at resolving the case amicably.

IT IS ORDERED THAT:

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

7. On or before Monday, 2 November 2020, the parties or the Mediation Division shall inform the Tribunal as to whether the case has been resolved. If so, the Applicant shall confirm to the Tribunal, in writing, that his application is withdrawn.

*(Signed)*

Judge Joelle Adda

Dated this 3<sup>rd</sup> day of August 2020