



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NY/2023/023
Order No.: 106 (NY/2023)
Date: 16 October 2023
Original: English

Before: Duty Judge
Registry: New York
Registrar: Isaac Endeley

OKETCH

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**ORDER
ON CASE MANAGEMENT**

Counsel for Applicant:

George G. Irving

Counsel for Respondent:

Esther Saabel, HRLU/UNOG

Introduction

1. On 17 July 2023, the Applicant, a Humanitarian Affairs Officer with the Office for the Coordination of Humanitarian Affairs ("OCHA") based in New York, filed an application in which he contests his non-selection for "the position of Senior Humanitarian Affairs Officer/Head of OCHA Liaison Office to the African Union".

2. On 16 August 2023, the Respondent filed a reply submitting that the application is without merit.

Consideration

3. The General Assembly has repeatedly reaffirmed that the informal resolution of conflict is a crucial element of the system of administration of justice. Having considered the issues arising in this case, the Tribunal is of the view that the case may be amenable to informal and amicable resolution. The Tribunal therefore considers it appropriate to provide the parties with an opportunity to resolve the case informally.

4. Accordingly, the parties are encouraged to attempt informal resolution of the disputes arising in the case through the United Nations Ombudsman and Mediation Services or via *inter partes* discussions. Should the parties decide to attempt informal resolution of the matter, they shall promptly inform the Tribunal thereof and seek suspension of the proceedings.

5. If the parties do not agree to enter into informal negotiations, the Tribunal will instruct the Applicant to respond to the Respondent's reply. Unless otherwise ordered, the Tribunal will thereafter adjudicate the present case based on the papers on record.

6. Pursuant to art. 19 of the Dispute Tribunal's Rules of Procedure and for a fair disposal of the case,

IT IS ORDERED THAT:

7. The Applicant and Counsel for the Respondent are to confer with a view to resolving the matters in this case informally.

8. By **4:00 p.m. on Tuesday, 14 November 2023**, the parties are to file a jointly-signed statement informing the Tribunal whether they agree to attempt informal resolution. If so, they may request a suspension of the proceedings.

9. If the parties do not agree to attempt informal resolution, by **4:00 p.m. on Tuesday, 5 December 2023**, the Applicant shall file a rejoinder to the Respondent's reply. Unless otherwise ordered, the Tribunal will thereafter adjudicate on the receivability based on the papers on record.

(Signed)

Judge Joelle Adda

Dated this 16th day of October 2023

Entered in the Register on this 16th day of October 2023

(Signed)

Isaac Endeley, Registrar, New York