



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NY/2023/037
Order No.: 005 (NY/2024)
Date: 18 January 2024
Original: English

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

DRUCKER

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**ORDER
ON CASE MANAGEMENT**

Counsel for Applicant:

Martine Lamothe, OSLA

Counsel for Respondent:

Lucienne Pierre, AS/ALD/OHR/UN Secretariat

Introduction

1. On 26 October 2023, the Applicant, a former staff member of the United Nations Joint Staff Pension Fund (“UNJSPF”) based in New York, filed an application contesting “the administration’s decision dated 14 June 2023 not to reimburse his [United States] Income Tax for the year 2020”.

2. The Respondent filed a reply on 27 November 2023 submitting that the application is “meritless”.

Considerations

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 Monday, 18 March 2024**, 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 Monday, 8 April 2024**, the Applicant shall file a rejoinder to the Respondent's reply.

10. Unless otherwise ordered, the Tribunal will thereafter adjudicate the case based on the papers on record.

(Signed)

Judge Joelle Adda

Dated this 18th day of January 2024

Entered in the Register on this 18th day of January 2024

(Signed)

Isaac Endeley, Registrar, New York