



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NY/2022/032
Order No.: 071 (NY/2024)
Date: 25 June 2024
Original: English

Before: Judge Joelle Adda

Registry: New York

Registrar: Isaac Endeley

EL RAJJI

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**ORDER
ON CASE MANAGEMENT**

Counsel for Applicant:

Shubha Suresh Naik, OSLA

Counsel for Respondent:

Jérôme Blanchard, HRLU/UNOG

Introduction

1. On 16 June 2022, the Applicant, a staff member of the Office of the High Commissioner for Human Rights, filed an application contesting the decision not to refer her complaints against her First Reporting Officer for possible disciplinary action.
2. On 18 July 2022, the Respondent filed a reply challenging the receivability of parts of the application *ratione materiae*.
3. By Order No. 042 (NY/2023) dated 2 June 2023, the Tribunal instructed, *inter alia*, the Applicant to file a response to the Respondent's submissions on receivability.
4. On 3 July 2023, the Applicant duly filed her submission.
5. By Order No. 086 (NY/2023) dated 18 September 2023, the Tribunal instructed the parties, *inter alia*, to file a jointly-signed statement informing the Tribunal whether they agreed to attempt informal resolution. The Tribunal also ordered the Applicant to file a rejoinder to the Respondent's reply addressing the submission on the merits.
6. On 9 October 2023, the parties filed a joint motion informing the Tribunal that they would attempt to resolve the matter informally and requested suspension of the proceedings until 9 November 2023. In addition, the parties requested the Tribunal to grant Counsel for the Applicant additional time to file the rejoinder to the Respondent's reply addressing the submission on the merits, should mediation be unsuccessful.
7. By Order No. 103 (NY/2023) dated 10 October 2023, the Tribunal granted the parties' motion to suspend the proceedings and granted Counsel for the Applicant additional time to file the rejoinder to the Respondent's reply, should the informal discussions be unsuccessful.
8. The parties made subsequent joint motions for further suspension of proceedings in order resolve the matter informally dated 8 November 2023, 27

November 2023, 24 January 2024, 28 March 2024, and 30 April 2024, which were all granted by the Tribunal.

9. On 18 June 2024, the parties filed a joint motion informing the Tribunal that the informal discussions are still ongoing and requested a further suspension of the proceedings until 15 July 2024, and to similarly grant Counsel for the Applicant additional time to file the rejoinder to the Respondent's reply addressing the submission on the merits, until 30 July 2024.

Consideration

10. Article 10.1 of the Dispute Tribunal's Statute provides that "[t]he Dispute Tribunal may suspend proceedings in a case at the request of the parties for a time to be specified by it in writing".

11. The Tribunal notes that the 18 June 2024 motion is the seventh suspension of proceedings requested by the parties in this case. Taking into consideration the parties' request to suspend the proceedings in order to further informal resolution of the present case, the proceedings before the Tribunal will be further suspended until 15 July 2024.

12. The Tribunal commends both parties for their good faith efforts aimed at resolving this case amicably. Such efforts should be encouraged as the amicable resolution of cases saves the Organization valuable resources.

13. In light of the above,

IT IS ORDERED THAT:

14. The parties' motion to suspend the proceedings until 15 July 2024 is granted;

15. By **4:00 p.m. on Monday, 15 July 2024**, the parties are to file a jointly-signed statement informing the Tribunal if the informal resolution discussions have been successful.

16. If the informal resolution discussions have not been successful, the Applicant is to file a rejoinder to the Respondent's reply addressing the submission on the merits by **4:00 p.m. on Tuesday, 30 July 2024**. The submission shall not exceed five pages, in font Times New Roman, font size 12, line spacing of 1.5.

(Signed)

Judge Joelle Adda

Dated this 25th day of June 2024

Entered in the Register on this 25th day of June 2024

(Signed)

Isaac Endeley, Registrar, New York