

UNITED NATIONS D

1. On 26 April 2022, the Applicant filed a rebuttal against his 2021-2022 performance evaluation, its overall rating of “partially meets performance expectations”, and numerous allegedly false and defamatory comments, pursuant to sec. 15 of ST/AI/2021/4 (Performance Management and Development System).
2. On 28 December 2022, the rebuttal panel issued its report recommending that the Applicant’s overall rating should be changed to “meets performance

8. By Order No. 55 (GVA/2023) of 31 May 2023, the Tribunal rejected the Respondent’s motion to have receivability determined as a preliminary matter and instructed him to file his reply on the merits by 26 June 2023. In addition, the Tribunal ordered the Applicant to file his rejoinder by 26 July 2023, and the parties to explore resolving the issues amicably, reverting to the Tribunal in this respect by 31 July 2023.

9. On 26 June 2023, the Respondent filed his reply on the merits.

10. On 20 July 2023, the Applicant filed his rejoinder.

11. On 27 July 2023, the parties filed a joint submission seeking to suspend the proceedings pending mediation efforts.

12. By Order No. 86 (GVA/2023), the Tribunal granted the parties’ joint motion and suspended the proceedings until 28 August 2023.

13. By email dated 28 August 2023, the Office of the United Nations Ombudsman and Mediation Services informed the Tribunal that the parties are still involved in mediation, and requested a further suspension of the proceedings.

14. The Office of the Ombudsman submits that the parties are still involved in resolving the matter amicably through mediation, and thus requests a further suspension of the proceedings until Friday, 22 September 2023.

15. The Tribunal takes note of this and recalls that the General Assembly has consistently encouraged alternative dispute resolution.

16. Having examined the case record and guided by arts. 15.3, 15.4 and 15.5 of its Rules of Procedure, the Tribunal finds that it is in the interest of justice to give the parties sufficient time to focus on their settlement efforts by further suspending the proceedings as requested.

17. In view of the foregoing, it is ORDERED THAT:

a. The proceedings before the Tribunal in this matter be further suspended during the parties' mediation discussions under the auspices of the Office of the United Nations Ombudsman and Mediation Services until ;

b. If a mediation agreement is reached within this period, the parties or the Office of the Ombudsman shall inform the Tribunal accordingly without delay, and the Applicant shall confirm to the Tribunal, in writing, that his application is withdrawn; or

c. If no settlement agreement can be reached within the prescribed period, the parties or the Office of the Ombudsman shall inform the Tribunal by

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Judge Margaret Tibulya (Duty Judge)

Dated this 29