
UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NBI/2019/046

Order No.:

Introduction

1. The Applicant holds a fixed-term appointment at the FS-4 level with the United Nations Organisation Stabilisation Mission in the Democratic Republic of Congo (MONUSCO). She serves as an Administrative Assistant and is based in Kinshasa.

2. On 3 May 2019, she filed an application with the Dispute Tribunal. The Applicant described the decisions she challenges as: (a) continued harassment, unfair treatment and abuse of authority that cannot be classified as one single decision; (b) breach of several rules and regulations; (c) not being considered and bypassed for promotion on several occasions resting with a decision made on 22 January 2019; (d) not being compensated for work performed at a higher level; and (e) failure to address a claim for sexual harassment and abuse.

3. On 10 June 2019, the Respondent filed his reply.

4. On 9 January 2020, the Applicant filed a motion seeking an order for interim measures to reassign her to another duty station because of alleged ill-treatment by her colleagues and her Second Reporting Officer (SRO) following the filing of her application on 3 May 2019. The Tribunal issued Order No. 013 (NBI/2020) dismissing the motion for interim measures.

5. On 23 July 2020, the Tribunal issued Order No. 140 (NBI/2020) to manage the case. Among other things, the Tribunal asked the parties if they were amenable to the matter being resolved *inter partes*.

6. On 4 August 2020, the parties filed a joint motion for suspension of proceedings pending mediation and asked that the matter be referred to the United Nations Ombudsman and Mediation Services (UNOMS) to facilitate the process.

- i. The suspension of proceedings in the matter of *Ular v Secretary General of the United Nations* (UNDT/NBI/2019/046) is hereby lifted:
- ii. The parties are directed to file their respective submissions on receivability of the issues that remain in dispute by **23 October 2020**;
- iii. The Applicant is directed to file her submissions on the need for an oral hearing and motion for the submission of additional evidentiary material by **30 October 2020**; and
- iv. **5**
November 2020.

(Signed)

Judge Francis Belle

Dated this 19th day of October 2020

Entered in the Register on this 19th day of October 2020

(Signed)

Abena Kwakye-Berko, Registrar, Nairobi