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UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NY/2016/004  
Order No.: 205 (NY/2016)  
Date: 26 August 2016  
Original: English

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**Before:** Judge Alexander W. Hunter, Jr.

**Registry:** New York

**Registrar:** Hafida Lahiouel

HAMID

v.

SECRETARY-GENERAL  
OF THE UNITED NATIONS

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**ORDER**

**ON SUSPENSION OF PROCEEDINGS**

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**Counsel for Applicant:**  
Nicole Washienko, OSLA

**Counsel for Respondent:**  
H. Esther Shamash, UNDP

## **Introduction**

1. On 11 February 2016, the Applicant, a former D-2 level staff member of the United Nations Development Programme (“UNDP”) in New York, filed an application contesting the following three administrative decisions:

- a. to abolish her post of Director and Chief Technology Officer (“CTO”) in UNDP’s Office for Information Systems and Technology as a result of restructuring and reclassification processes (the “abolishment decision”);



11. On 17 August 2016, the Tribunal issued Order No. 199 (NY/2016), granting the requested extension of time and directing the parties to file the jointly-signed submission by 26 August 2016 and to attend a CMD on 30 August 2016. The Tribunal also directed the parties to address in their joint submission the relevance of the recently-issued judgment in the matter of *El-Kholy* UNDT/2016/102.

12. On 26 August 2016, the parties file a joint request for a further extension of time until 31 August 2016 to finalize their joint submission. The parties submit, *inter alia*, that the requested extension would allow them to adequately finalize their joint submission and to provide substantive comments on *El-Kholy* UNDT/2016/102, which will ultimately clarify the arguments that are before the Tribunal and assist in the efficient handling of this matter. The parties also state that “in light of new developments, the parties have commenced discussions to resolve the dispute informally” and that they will advise the Tribunal if further time is necessary to continue these discussions.

### **Case management**

13. In view of the parties’ submission that they have commenced informal discussions with the view to resolving the dispute informally, the Tribunal considers that it would be appropriate and in the interests of a fair and expeditious disposal of the case to suspend the proceedings for a period of three weeks so as to allow the parties to attempt informal resolution of this matter. The preparation and filing of an extensive joint submission, while there is a real

pragmatic and reasonable manner so as to achieve a positive outcome to their discussions.

15. Accordingly, in view of the above,

IT IS ORDERED THAT:

16. The present proceedings are suspended until **Friday, 16 September 2016.**

17. By **5 p.m., Friday, 16 September 2016**, the parties shall file a joint submission stating whether they have reached an agreement or whether they seek additional time to conclude their discussions. Should the parties reach an agreement, the Applicant shall file a motion withdrawing his application fully and finally, without liberty to reinstate.

*(Signed)*

Judge Alexander W. Hunter, Jr.

Dated this 26<sup>th</sup> day of August 2016