



Before: Judge Sun Xiangzhuang

Registry: Geneva

Registrar: René M. Vargas M.

SCANLON

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**ORDER ON MOTION FOR
SUSPENSION OF PROCEEDINGS**

Counsel for Applicant:

Sètondji Roland Adjovi, Etudes Vihodé Ltée
Anthony Kreil Wilson, Etudes Vihodé Ltée

Counsel for Respondent:

Jonathan Croft, UN Secretariat

Introduction

1. On 4 September 2022, the Applicant, a former staff member of the United Nations Environment Programme (“UNEP”), filed an application contesting the decision to impose on him the disciplinary measure of a fine equivalent to six months’ net base salary.
2. On 24 October 2022, the Respondent filed his reply.
3. On 1 September 2023, a case management discussion (“CMD”) took place with the presence of the Applicant and Counsel for the Respondent.
4. By Order No. 117 (GVA/2023) of 8 September 2023, the Tribunal, *inter alia*, instructed:
 - a. The Applicant to indicate, by 19 September 2023, the reasons for his request for a hearing, the relevant witnesses to be called and the issues on which they would testify.
 - b. The Respondent to file a response to the Applicant’s submission by 29 September 2023; and
 - c. The parties to explore resolving the dispute amicably and revert to the Tribunal in this respect by 19 September 2023.
5. On 19 September 2023, the Applicant filed a submission concerning his request for a hearing, which included a list of 33 proposed witnesses to be called.
6. On 28 September 2023, the parties filed a joint motion requesting the Tribunal to temporarily suspend the proceedings until 26 October 2023 to explore an amicable settlement of the present matter.
7. On 29 September 2023, the Respondent filed his comments on the Applicant’s request for a hearing and his proposed list of witnesses.

8. On 2 October 2023, the Applicant filed a motion for leave to file a response to the Respondent's submission of 29 September 2023.

Consideration

Amicable settlement

9. Noting that the General Assembly has consistently encouraged alternative dispute resolution, the Tribunal commends the parties for seeking an amicable settlement of their dispute.

10. Considering that art. 10.1 of its Statute allows the Tribunal to suspend proceedings at the request of the parties for a time specified by it in writing, the Tribunal will grant the parties' request.

The hearing

11. Since the parties have requested the temporary suspension of the proceedings pending an informal resolution of their dispute, the Tribunal considers it appropriate to also postpone its consideration of the parties' submissions in relation to the holding of a hearing. The Tribunal will pronounce itself on this issue when the proceedings resume.

Conclusion

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

- a. The proceedings before the Tribunal in the present case be suspended until **Thursday, 26 October 2023** to allow the parties to seek an amicable settlement of their dispute;
- b. If a settlement agreement is reached within this period, the parties shall inform the Tribunal accordingly without delay, and the Applicant shall subsequently confirm to the Tribunal, in writing, that his application is withdrawn; or

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c. If no settlement is reached within the prescribed period, the parties shall inform the Tribunal, which will resume proceedings in the matter, unless otherwise requested and decided.

(Signed)

Judge Sun Xiangzhuang

Dated this 6th day of October 2023

Entered in the Register on this 6th day of October 2023

(Signed)

René M. Vargas M., Registrar, Geneva