



UNITED NATIONS APPEALS TRIBUNAL TRIBUNAL D'APPEL DES NATIONS UNIES

Case No. 2021-1594

Robert Sheffer
(Respondent/Applicant)

v.

**Secretary-General of
the International Maritime Organization**
(Appellant/Respondent)

ORDER No. 438 (2022)

1. On 7 May 2021, the Staff Appeals Board (SAB) of the International Maritime Organization (IMO) rendered a decision in respect of an appeal filed by Mr. Robert Sheffer, on remand from the United Nations Appeals Tribunal (Appeals Tribunal or UNAT). Mr. Sheffer had appealed the decision to reject his reclassification request and confirm his post at its current level. The SAB found in Mr. Sheffer's favor by ordering, among other things, that the contested decision be rescinded, and another reclassification exercise be carried out for Mr. Sheffer's post. But the SAB dismissed Mr. Sheffer's claim for an award of reasonable legal costs incurred for engaging an outside counsel and decided that there be no order as to costs.

2. On 5 August 2021, the Secretary-General of the IMO appealed the SAB decision to the Appeals Tribunal. On 11 October 2021, Mr. Sheffer filed his answer. Although Mr. Sheffer sought a direction that he be entitled to costs, he did not file a cross-appeal. The Secretary-General moved to strike out Mr. Sheffer's claim to costs, but this motion was refused by Order No. 435 (2022) of 5 January 2022.

3. On 21 January 2022, the Secretary-General of the IMO filed a motion for withdrawal of his appeal. On the same day, Mr. Sheffer wrote to the Registrar expressing his support for the withdrawal motion.

4. The Appeals Tribunal's practice is that a party may withdraw an appeal simply by giving notice (as the Appellant has) and need not necessarily provide any reasons or justification therefor.

IT IS HEREBY ORDERED that the Motion for Withdrawal filed by the Secretary-General of the IMO is **GRANTED** and the case may be closed by the Registrar.

Original and Authoritative Version: English

Dated this 26th day of January 2022
in Auckland, New Zealand.

(Signed)
Judge Graeme Colgan,
President

Entered in the Register on this 26th day
of January 2022 in New York, United States.

(Signed)
Weicheng Lin, Registrar