



# UNITED NATIONS APPEALS TRIBUNAL TRIBUNAL D'APPEL DES NATIONS UNIES

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Case No. 2021-1609

**Monia Spinardi**  
**(Respondent/Applicant)**

v.

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

**ORDER No. 440 (2022)**

1. On 30 June 2021, the Staff Appeals Board of the International Maritime Organization (SAB) rendered a decision in the appeal of Monia Spinardi, in which it rescinded the IMO Secretary-General's decision not to reclassify Ms. Spinardi's post and referred the case back for reclassification.
2. On 28 September 2021, the IMO Secretary-General appealed the SAB decision to the United Nations Appeals Tribunal (Appeals Tribunal). On 27 November 2021, Ms. Spinardi filed her answer.
3. On 27 January 2022, the IMO Secretary-General filed a motion for withdrawal of his appeal. On the same day, Ms. Spinardi wrote to the Registry expressing her support for the withdrawal motion. The appeal has not yet been placed on a docket for consideration at a session of the Tribunal.
4. The Appeals Tribunal has consistently held that "a party may withdraw an appeal simply by giving notice and need not necessarily provide any further justification".<sup>1</sup>
5. Further, in accordance with Article 18bis (2) of the Appeals Tribunal Rules of Procedure (Rules): "If, before the opening date of the session during which the case is to be considered, the appellant informs the Appeals Tribunal, in writing, with notice to the

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<sup>1</sup> See *Kusuma v. Secretary-General of the United Nations*, Order No. 211 (2015), quoting *Amar v. Secretary-General of the United Nations*, Order No. 73 (2011) and citations therein.

respondent, that he or she wishes to discontinue the proceedings, the President may order the case to be removed from the register.”

6. Therefore, it is entirely appropriate that the withdrawal of the appeal be allowed.

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

Original and Authoritative Version: English

Dated this 31<sup>st</sup> day of January 2022  
in Auckland, New Zealand.

*(Signed)*  
Judge Graeme Colgan,  
President

Entered in the Register on this 31<sup>st</sup> day  
of January 2022 in New York, United States.

*(Signed)*  
Weicheng Lin, Registrar