



UNITED NATIONS APPEALS TRIBUNAL TRIBUNAL D'APPEL DES NATIONS UNIES

Case No. 2022-1716

Vladislav Krioutchkov

(Applicant)

v.

Secretary-General of the United Nations

(Respondent)

ORDER No. 474 (2022)

1. On 1 June 2022, the United Nations Dispute Tribunal (UNDT) in Geneva rendered Judgment No. UNDT/2022/054 in the case of *Krioutchkov v the Secretary-General of the United Nations*, rejecting Mr. Krioutchkov's application contesting the decision not to select him for a P-4 post of Russian Reviser, with the Department for General Assembly and Conference Management in New York.

2. On 29 July 2022, Mr. Krioutchkov filed an appeal with the United Nations Appeals Tribunal (Appeals Tribunal or UNAT). The case is yet to be set down for hearing.

3. On 10 May 2021, the UNDT in New York had rendered a similar Judgment, Judgment No. UNDT/2021/052, which rejected Mr. Krioutchkov's application contesting the same administrative decision. Mr. Krioutchkov had filed an appeal. On 1 July 2022, the Appeals Tribunal rendered Judgment No. 2022-UNAT-1248, which was transmitted to the parties on 11 August 2022.

4. On 8 September 2022, Mr. Krioutchkov, by counsel, filed a motion for withdrawal of his appeal. He submitted that since Judgment No. 2022-UNAT-1248 of the Appeals Tribunal related to analogous facts and answered the legal question in the present case, and more generally so as to support the good administration of justice and the use of the Tribunal's time and resources, he sought to withdraw this appeal without prejudice to any future allegations and claims before the United Nations Tribunals.

5. On 9 September 2022, the Secretary-General submitted his response, indicating that he had no objections to Mr. Krioutchkov’s motion for withdrawal.

6. 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”.¹

7. Further, in accordance with Article 18bis(2) of the Appeals Tribunal Rules of Procedure, “[i]f, 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 respondent, that he or she wishes to discontinue the proceedings, the President may order the case to be removed from the register”.

8. Therefore, the Appeals Tribunal grants the motion and allows the withdrawal of the appeal.

IT IS HEREBY ORDERED that the Motion for withdrawal filed by Mr. Krioutchkov is **GRANTED** and the case shall be closed.

Original and Authoritative Version: English

Dated this 14th day of September 2022
in Auckland, New Zealand.

(Signed)
Judge Graeme Colgan,
President

Published and entered in the Register on this 16th day
of September in New York, United States.

(Signed)
Katrin May Lueken,
Officer-in-Charge

¹*Monia Spinardi v. Secretary-General of the International Maritime Organization*, Order No. 440 (2022), para. 4, quoting *Kusuma v. Secretary-General of the United Nations*, Order No. 211 (2015).