



UNITED NATIONS APPEALS TRIBUNAL TRIBUNAL D'APPEL DES NATIONS UNIES

Case No. 2022-1715

Flamur Kazazi

(Appellant)

v.

Secretary-General of the United Nations

(Respondent)

ORDER No. 503 (2023)

1. On 28 July 2022, Mr. Flamur Kazazi filed an appeal with the United Nations Appeals Tribunal (Appeals Tribunal) against UNDT Order No. 090 (NBI/2022) in UNDT case No. UNDT/NBI/2021/100 (the Order) in which the UNDT determined a list of five witnesses to testify at the hearing and found that most of the Applicant's witnesses were not necessary. The appeal of the Order is case No. UNAT-2022-1715. On 29 August 2022, the Secretary-General filed his answer to the appeal.
2. On 22 September 2022, the UNDT issued Judgment No. UNDT/2022/87 on the merits of Mr. Kazazi's application (the Judgment). On 21 November 2022, Mr. Kazazi filed an appeal to the Appeals Tribunal of this Judgment which remains to be determined (case No. UNAT-2022-1753).
3. On 11 January 2023, Mr. Kazazi filed a motion for withdrawal of the appeal of the Order (No. UNAT-2022-1715), stating that the withdrawal was without prejudice to his appeal of the Judgment (No. UNAT-2022-1753).
4. On 20 January 2023, the Secretary-General submitted that he had no objections to the motion.
5. 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

¹ 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.

6. 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”.

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

IT IS HEREBY ORDERED that the Motion for withdrawal of Mr. Kazazi’s 28 July 2022 appeal is **GRANTED** and the Registrar shall close the appeal.

Original and Authoritative Version: English

Decision dated this 25th day of January 2023 in
Vancouver, Canada.

(Signed)
Judge Kanwaldeep Sandhu,
President

Order published and entered in the Register on this
25th day of January 2023 in New York, United States.

(Signed)
Juliet Johnson,
Registrar