



Before: Judge Rowan Downing

Registry: Geneva

Registrar: René M. Vargas M.

APPLICANT

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**JUDGMENT ON APPLICATION FOR
WITHDRAWAL**

Counsel for Applicant:

Aleksandra Jurkiewicz, OSLA

Counsel for Respondent:

Steven Dietrich, ALS/OHRM, UN Secretariat

Introduction

1. On 12 April 2018, the Applicant made an application to the Tribunal. On 17 May 2018, the Respondent filed his reply.
2. On 4 September 2018, the parties attended a case management discussion during which the Tribunal directed them to advise it as to whether they would agree to initiate discussions to resolve the matter.
3. On 24 September 2018, the parties informed the Tribunal that they had initiated discussions. This was followed on 7 December 2018 by the Applicant filing a motion to withdraw the application, noting that the parties had reached a full and final settlement and that there was to be no right of reinstatement.

Consideration

4. The Tribunal accepts the motion to withdraw the application on the terms requested. It notes that the amicable settlement of disputes is encouraged and is important, especially in circumstances where there is an ongoing employment relationship. The parties are to be praised for the approach taken in this matter.
5. The Tribunal, on its own motion, has decided to anonymize this judgment in view that since the matter was amicably resolved it is not appropriate for the Applicant's name to be disclosed in a public document.

Conclusion

6. The Applicant's motion to withdraw the application is granted and this case is hereby closed, with, as requested, no right of reinstatement.

(Signed)

Judge Rowan Downing

Dated this 14th day of December 2018

Case No. UNDT/GVA/2018/039

Judgment No. UNDT/2018/131

Entered in the Register on this 14th day of December 2018

(Signed)

René M. Vargas M., Registrar, Geneva