



Before: Judge Sun Xiangzhuang

Registry: Geneva

Registrar: René M. Vargas M.

EFRATI

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**ORDER ON
MOTION FOR WITHDRAWAL**

Counsel for Applicant:

Robbie Leighton, OSLA

Counsel for Respondent:

Nicola Caon, AAS/ALD/OHR, UN Secretariat

Miryoung An, AAS/ALD/OHR, UN Secretariat

Introduction

1. By application filed on 9 March 2023, the Applicant, a Senior Staff Assistant with the United Nations Register of Damage at the United Nations Office at Vienna, contests the decision to impose on her the disciplinary measures of written censure, loss of two steps in grade, and deferment for two years of eligibility for salary increment, per staff rules 10.2(a)(i), (ii) and (iii).
2. On 20 April 2023, the Respondent filed his reply.
3. By Order No. 53 (GVA/2023) of 26 May 2023, the Tribunal, *inter alia*, directed the parties to explore resolving the dispute amicably asking them to revert to it in this respect by 7 July 2023.
4. On 30 June 2023, the parties filed a joint motion for an extension of time until 14 July 2023 to inform the Tribunal whether the matter might be resolved amicably, which was granted by Order No. 67 (GVA/2023) of 4 July 2023.
5. On 13 July 2023, the parties filed a joint motion for an extension of time until 28 July 2023 to continue settlement discussions, which was granted by Order No. 77 (GVA/2023) of 14 July 2023.
6. By a motion filed on 28 July 2023, the parties jointly requested a further suspension of proceedings until 25 August 2023, which was granted by Order No. 87 (GVA/2023) of 28 July 2023.
7. On 22 August 2023, the Applicant filed a motion to inform the Tribunal that pursuant to the terms and conditions of a settlement agreement, she wished to withdraw her application without the ability to reinstate.

Consideration

8. Considering that the amicable settlement of disputes is encouraged and is important, especially in circumstances where there is an ongoing employment relationship, the Tribunal commends both parties for their good faith efforts in resolving this case amicably by mutual agreement.

9. Having reviewed the Applicant's motion, the Tribunal sees no obstacle to the withdrawal of the application.

10. The Applicant's clear and unequivocal withdrawal of her application through a final and binding mutual agreement requires no pronouncement on the merits and concludes the current matter before the Tribunal. As the matter has now been settled by mutual agreement, there is no longer any matter for adjudication before the Tribunal.

Conclusion

11. In view of the foregoing, it is ORDERED THAT Case No. UNDT/GVA/2023/013 be hereby closed without liberty to reinstate and struck from the Tribunal's docket.

(Signed)

Judge Sun Xiangzhuang

Dated this 23rd day of August 2023

Entered in the Register on this 23rd day of August 2023

(Signed)

René M. Vargas M., Registrar, Geneva