



Before: Judge Sun Xiangzhuang

Registry: Geneva

Registrar: René M. Vargas M.

BECK

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**ORDER
ON WITHDRAWAL**

Counsel for Applicant:

Robbie Leighton, OSLA

Counsel for Respondent:

Rebecca Britnell, UNHCR

Introduction

1. The Applicant, a Senior Data Policy Officer at the P-4 level serving at the Office of the United Nations High Commissioner for Refugees (“UNHCR”) in Copenhagen, is contesting the decision dated 2 August 2022 by the Medical Section of UNHCR to not approve certified sick leave (“CSL”) beyond 22 December 2021.
2. By email dated 6 September 2022 to the Medical Service Board, the Applicant requested an extension of time to seek review of the determination dated 2 August 2022.
3. On 3 October 2022, the Applicant requested management evaluation of the contested decision.
4. On 7 February 2023, the Applicant filed the instant application.
5. On 21 February 2023, the Deputy High Commissioner decided to uphold the contested decision.
6. On 13 March 2023, the Respondent filed his reply.
7. By Order No. 14 (GVA/2024), the Tribunal instructed the Applicant to file a rejoinder by 7 March 2024, and encouraged the parties to consider amicable settlement reverting to it with a response by 14 March 2024.
8. On 7 March 2024, the Applicant filed his rejoinder.
9. On 14 March 2024, the parties filed a joint statement requesting the suspension of proceedings pending ongoing informal settlement discussions.
10. By Order No. 24 (GVA/2024), the Tribunal suspended the proceedings as requested by the parties.
11. On 26 March 2024, the parties filed a second joint motion for further suspension of the proceedings pending ongoing informal settlement discussions, which was granted until 24 April 2024 by notification.

12. On 25 April 2024, the Applicant filed a motion to discontinue and withdraw proceedings. In support of it, the Applicant informed the Tribunal that the parties signed an agreement formally resolving the issue.

Consideration

13. Considering that amicable settlement of disputes is strongly encouraged, the Tribunal commends both parties for their good faith efforts in resolving this case amicably by mutual agreement.

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

15. The Applicant's clear and unequivocal withdrawal of his application through a final and binding mutual agreement requires no pronouncement on the merits and concludes the current matter before the Tribunal.

16. As the matter has now been settled by a mutual settlement agreement, there is no longer any matter for adjudication before the Tribunal.

Conclusion

17. In view of the foregoing, it is ORDERED THAT Case No. UNDT/GVA/2023/007 be hereby closed without liberty to reinstate and struck from the Tribunal's docket.

(Signed)

Judge Sun Xiangzhuang

Dated this 26th day of April 2024

Entered in the Register on this 26th day of April 2024

(Signed)

René M. Vargas M., Registrar, Geneva