



Before: Judge Nkemdilim Izuako

Registry: Nairobi

Registrar: Jean-Pelé Fomété

GEBRE

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**ORDER ON WITHDRAWAL OF
APPLICATION**

Counsel for the Applicant:
Seth Levine, OSLA

Counsel for the Respondent:
Steven Dietrich, ALS/OHRM

Introduction

1. The Applicant is a former staff member of the International Criminal Tribunal for Rwanda (ICTR) in Arusha, Tanzania. He is contesting the administrative decision not to allow him an extension of his appointment beyond the mandatory age of retirement and denial of opportunity to compete for a substantive FS-5 Level position.

2. The matter was set down for hearing on 8-9 March 2012 and before closing submissions were made, the Parties on 16 March 2012 filed a joint application praying for suspension of proceedings to afford them time to pursue mediation and settlement. The Tribunal issued Order No.: 047 (NBI/2012) on 19 March 2012, suspending the proceedings up to 16 April 2012 to allow the parties pursue informal dispute resolution.

3. On 13 April 2012, the Parties sought another extension of deadline by seven days in order to conclude the ongoing informal settlement and on 16 April 2012, the Tribunal granted the parties an extension until **2 May 2012**.

4. On 2 May 2012, Counsel for the Respondent filed a motion seeking extension of deadline by three weeks in which to finalize the agreement reached between the parties. The Tribunal issued Order No.: 066 (NBI/2012) on 7 May 2012, suspending the proceedings up to 31 May 2012.

5. On 31 May 2012, the Respondent's Counsel filed another motion requesting extension of time by three weeks in which to finalise the settlement. On 5 June the Applicant filed an application for extension of deadline in which he indicated that the Agreement between the parties was reached in principle in late March/early April and that there had been no further substantive discussions on the matter.

6. On 8 June 2012, the Tribunal issued Order No.: 080 (NBI/2012) in which it reminded the parties of the time limits for mediation as per Article 15.5 of the Tribunal's Rules of procedure and suspended the proceedings up to 26 June 2012.

7. On 26 June 2012, the Parties informed the Registry via email that a settlement agreement had been finalized.

8. On 1 July 2012, the Applicant's Counsel filed a motion withdrawing the Application

IT IS ACCORDINGLY ORDERED THAT:

9. In light of the Applicant's withdrawal of his Application, there is no longer any matter for adjudication by the Dispute Tribunal.

10. The matter of *Gebre v the Secretary-General of the United Nations*, registered as case number UNDT/NBI/2009/021 be struck off the record.

(Signed)

Judge Nkemdilim Izuako

Dated this 3rd day of July 2012

Entered in the Register on this 3rd day of July 2012

(Signed)

Jean-Pelé Fomété, Registrar, Nairobi