



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NBI/2014/042

Order No.: 127 (NBI/2014)

Date: 23 May 2014

Original: English

---

**Before:** Judge Nkemdilim Izuako

**Registry:** Nairobi

**Registrar:** Abena Kwakye-Berko

STORK

v.

SECRETARY-GENERAL  
OF THE UNITED NATIONS

---

**ORDER ON APPLICANT'S MOTION  
TO WITHDRAW**

---

**Counsel for the Applicant:**  
Daniel Trup, OSLA

**Counsel for the Respondent:**  
Katya Melliush, UNON

## **Introduction**

1. The Applicant is a Special Assistant to the Director of Administration at the United Nations Office at Nairobi (UNON). In his Application dated 19 May 2014, he sought a suspension of action of the refusal by the Administration to exercise its discretion, regarding education qualifications, pursuant to staff rule 12.3(b) to allow him to be eligible for consideration for the P-4 post of Administrative Officer.

2. The Application was served on the Respondent on 20 May 2014.

3. On 21 May 2014, Mr. Kazimiro Jocondo, Chief, Office of the Director-General UNON, informed the Tribunal that the Respondent would not challenge the Application as “it considers it moot”. Attached to Mr. Jocondo’s email was a memorandum from the Officer-In-Charge of the UNON Human Resources Management Service (HRMS) indicating that the selection process for the P-4 Administrative Officer post has been held in abeyance “in light of Office of Human Resources Management’s decision not to authorize the request of HRMS to permit the [Applicant’s] candidacy although he does not hold a university degree”.

4. On 21 May 2014, the Applicant filed a Motion to withdraw his case on the basis of the undertaking by the Administration not to continue with the selection process until the management evaluation process is concluded.

5. In light of the Applicant’s request for withdrawal,

### **IT IS ACCORDINGLY ORDERED THAT:**

6. The matter of *Stork v. the Secretary-General of the United Nations*, registered in the Registry records as Case Number UNDT/NBI/2014/042 be struck off the record.

Case No. UNDT/NBI/2014/042

Order No. 127 (NBI/2014)

*(Signed)*

Judge Nkemdilim Izuako

Dated this 23<sup>rd</sup> day of May 2014

Entered in the Register on this 23<sup>rd</sup> day of May 2014

*(Signed)*

Abena Kwakye-Berko, Registrar, Nairobi