



**Before:** Judge Vinod Boolell

**Registry:** Nairobi

**Registrar:** Abena Kwakye-Berko

KELAPILE

v.

SECRETARY-GENERAL  
OF THE UNITED NATIONS

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**ORDER ON AN APPLICATION FOR  
SUSPENSION OF ACTION AND THE  
APPLICANT'S MOTION TO  
WITHDRAW THE APPLICATION**

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**Counsel for the Applicant:**

Daniel Trup, OSLA

**Counsel for the Respondent:**

Sandra Baffoe-Bonnie, OES/ECA

## **Introduction**

1. The Applicant was appointed Chief of Staff in the Office of the Executive Secretary (ES) in the United Nations Economic Commission for Africa (UNECA). He serves at the D1 level on a fixed term appointment.
2. On 24 September 2015, the Registry of the United Nations Dispute Tribunal (UNDT) in Nairobi received the Applicant's Application for Suspension of Action, challenging the Respondent's decision to "strip him of his core functions as Chief of Staff". The Applicant contends that the impugned decision is inconsistent with the United Nations Staff Regulations and Rules as well as with the jurisprudence of the UNDT.
3. The Application was served on the Respondent on 24 September 2015.
4. On 28 September 2015, the Respondent filed his Reply to the Application as well as a Motion for Extension of Time.
5. On 29 September 2015, the Tribunal scheduled the matter for a case management hearing on 30 September 2015.
6. That hearing took place as scheduled. The Parties informed that Tribunal that they are currently engaged in efforts to have this dispute resolved *inter partes* and that the Ombudsman has been engaged towards that end.
7. On 1 October 2015, the Applicant filed a motion to withdraw his request for interim measures "pursuant to the terms and conditions of a recently concluded interim settlement between the Parties".

## **Order**

8. The Tribunal commends and congratulates the Parties for having resolved this matter without recourse to litigation.
9. The Tribunal hereby **GRANTS** the Applicant's Motion to Withdraw, **DISMISSES** the Application for Suspension of Action and **ORDERS** that the

matter of *Kelapile v Secretary General of the United Nations*  
(UNDT/NBI/2015/099) be struck off the Court's docket.

*(Signed)*

Judge Vinod Boolell

Dated this 1<sup>st</sup> day of October 2015

Entered in the Register on this 1<sup>st</sup> day of October 2015

*(Signed)*

Abena Kwakye-Berko, Registrar, Nairobi