



UNITED NATIONS DISPUTE TRIBUNAL

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Case No.: UNDT/NBI/2023/058  
Order No.: 144 (NBI/2023)  
Date: 22 September 2023  
Original: English

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**Before:** Judge Solomon Areda Waktolla

**Registry:** Nairobi

**Registrar:** Eric Muli, Officer-in-Charge

WEST

v.

SECRETARY-GENERAL  
OF THE UNITED NATIONS

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**ORDER ON THE APPLICANT'S  
REQUEST FOR WITHDRAWAL OF  
PROCEEDINGS**

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**Counsel for the Applicant:**

Brandon Gardner, Office of Staff Legal Assistance

**Counsel for the Respondent:**

Lucienne Pierre, AS/ALD/OHR, UN Secretariat

## **Background**

1. The staff member who is the subject of the present Order is a Senior Political Affairs Officer with the United Nations Assistance Mission in Somalia.
2. On 24 July 2023, the Applicant filed an application with the United Nations Dispute Tribunal sitting in Nairobi to challenge the Respondent's decision to remove nearly all functions assigned to him, which action the Applicant submits resulted in him being "effectively constructively" dismissed.
3. On 23 August 2023, the Respondent replied to the application.
4. Following assignment of this matter to the undersigned Judge, the Registry notified the parties that the presiding judge wished to schedule a case management discussion with the parties.
5. On 14 September 2023, Counsel for the Applicant informed the Tribunal that the Applicant no longer seeks to pursue this case and that the Applicant withdraws all allegations and claims in the present proceedings before the Dispute Tribunal in finality, including on the merits and therefore requests a discontinuance of the proceedings.

## **ORDER**

6. The Tribunal hereby **RECORDS** the Applicant's request and **ORDERS** that the matter of *West v Secretary General of the United Nations* (UNDT/NBI/2023/058) be struck off the Court's docket.

*(Signed)*

Judge Solomon Areda Waktolla

Dated this 22<sup>nd</sup> day of September 2023

Entered in the Register on this 22<sup>nd</sup> day of September 2023

*(Signed)*

Eric Muli, Officer-in-Charge, Nairobi