



Before: Judge Sean Wallace
Registry: Nairobi
Registrar: René M. Vargas M., Officer-in-Charge

APPLICANT

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**ORDER ON THE APPLICANT'S
NOTICE OF WITHDRAWAL AND
MOTION FOR ANONYMITY**

Counsel for the Applicant:

Jason Biafore, OSLA

Counsel for the Respondent:

Marcos Zunino, DAS/ALD/OHR, UN Secretariat

Introduction

1. The Applicant is a former staff member of the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic (“MINUSCA”). On 29 September 2023, he filed a motion requesting for an extension of time until 1 November 2023 to file an application to challenge his separation from service following a misconduct investigation and disciplinary process.

2. By Order No.153 (NBI/2023) dated 3 October 2023, the Tribunal granted the Applicant’s above-mentioned motion.

3. On 31 October 2023, the Applicant submitted a notice of withdrawal and motion for anonymity in relation to this case. On 6 November 2023, the Respondent informed the Tribunal “that he does not have any observations or comments to provide in relation to the Applicant’s motion for anonymity”.

Consideration

4. By his notice of withdrawal, the Applicant withdraws his application pursuant to the terms of a settlement agreement, without ability to reinstate. The Applicant also requests to be granted anonymity in relation to the case.

5. He provided further explanations: “in Orders No. 67 (NY/2023) and 77 (NY/2023), this Honourable Tribunal noted the General Assembly’s focus on promoting use of the informal system to avoid unnecessary litigation and considered the anonymizing of cases settled amicably as acting to promote the use of the informal system”.

6. In light of the foregoing and the lack of any objection from the Respondent,

IT IS ORDERED THAT:

7. The Applicant's motion for anonymity is granted. The Applicant's name is to be removed in the written Order published in the Tribunal's website.

8. As the application is withdrawn, there being no matter remaining for adjudication by the Dispute Tribunal, Case No. UNDT/NBI/2023/074 is hereby closed.

(Signed)

Judge Sean Wallace

Dated this 7th day of November 2023

Entered in the Register on this 7th day of November 2023

(Signed)

René M. Vargas M., Officer-in-Charge, Nairobi