



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

HALLOWAY

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**ORDER
ON THE APPLICANT'S
REQUEST TO DISCONTINUE
THE PROCEEDINGS**

Counsel for Applicant:

Self-represented

Counsel for Respondent:

AS/ALD/OHR, UN Secretariat

Introduction

1. The Applicant served as a Regional Administrative Officer with the United Nations Integrated Transition Mission in Sudan (“UNITAMS”). She held a temporary appointment at the FS6 level.

2. On 1 December 2023, the United Nations Security Council passed a resolution terminating the mandate of UNITAMS as of 3 December 2023. The closure of UNITAMS resulted in the termination of the Applicant’s temporary appointment, and she was advised that this would occur in the early part of 2024.

3. On 12 March 2024, UNITAMS advised the Applicant: “[f]ollowing the detailed review of your absences, and your contractual status, please be informed that your close of business with UNITAMS is 12 March 2024”.

4. On 22 March 2024, the Applicant filed an incomplete application on the merits. On 25 March 2024, the Registry indicated to the Applicant what was missing and advised her to complete her application not later than 5 April 2024.

5. On 5 April 2024, the Applicant filed an application for suspension of action (“SoA”) seeking to suspend the implementation of the 12 March 2024 decision, pending management evaluation. That case was docketed as UNDT/NBI/2024/022, and by Order No 43 (NBI/2024), the Tribunal rejected the Applicant’s SoA.

6. On 3 May 2024, the Tribunal’s Nairobi Registry sent a reminder to the Applicant stating:

You are instructed to complete your filing following our 25 March 2024 notification and formally put you on notice that failure to do so by Friday, 10 May 2024 will entail bringing the case to the attention of a judge for its closure due to want of prosecution.

7. On 19 June 2024, the Applicant communicated the following to the Registry:

Kindly note a new case was filed—Case No. UNDT/NBI/2024/022 (Halloway)—Transmittal of Order No. 43 (NBI/2024)—already closed which supersedes Case No. UNDT/2024/019 (Halloway). I hereby request that application UNDT/NBI/2024/019 (Halloway) can be disregarded.

8. By email of the same day, the Tribunal's Nairobi Registry requested the Applicant to file a withdrawal notice through the e-filing portal.

Consideration

9. The Tribunal notes that as of the date of this Order, the Applicant has not filed a withdrawal notice. She also did not complete her application on the merits as requested.

10. The Tribunal finds that despite the absence of a formal withdrawal notice of the case, the emails on record and, particularly, the Applicant's 19 June 2024 email, show that the Applicant has clearly and unequivocally demonstrated her intention to withdraw the application in the present matter. Said withdrawal requires no pronouncement on the merits and concludes the current matter before the Tribunal.

Conclusion

11. In view of the foregoing, it is ORDERED that there being no matter for the Tribunal to adjudicate, Case No. UNDT/NBI/2024/019 be hereby closed without liberty to reinstate, and struck from the Tribunal's docket.

(Signed)

Judge Sean Wallace

Dated this 30th day of July 2024

Entered in the Register on this 30th day of July 2024

(Signed)

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