



Before: Judge Vinod Boolell
Registry: Nairobi
Registrar: Abena Kwakye-Berko

OKETCH

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**ORDER ON THE APPLICANT'S MOTION
TO WITHDRAW HIS APPLICATION
WITH PREJUDICE**

Counsel for the Applicant:

Nicole Washienko, OSLA

Counsel for the Respondent:

Steven Dietrich, ALS/OHRM

Nicole Wynn, ALS/OHRM

Introduction and Procedural History

1. The Applicant entered into the service of the United Nations in 2002. He currently serves as a Humanitarian and Liaison Affairs Officer with the African Union Liaison Office (AULO) of the Office for Coordination of Humanitarian Affairs (OCHA) in Addis Ababa, Ethiopia. He holds a fixed term appointment at the P3 level.

2. On 28 September 2014, the Applicant filed an application with the United Nations Dispute Tribunal (UNDT) in Nairobi to challenge the following decisions:

- i. to rank the list of recommended candidates that was presented to the central review body as part of a selection exercise for the P-4 post of Humanitarian Affairs Officer in AULO within OCHA;
- ii. not to select him for the P-4 post of Humanitarian Affairs Officer in AULO within OCHA;
- iii. to deny him Special Post Allowance (SPA) for the period of 1 December 2012 – 14 January 2014; and
- iv. to change the Applicant’s functional title from “Humanitarian and Liaison Affairs Officer” to “Humanitarian Civil Military Coordination Officer”.

3. The Application was served on the Respondent on 29 September 2014.

4. On 17 October 2014, the Applicant filed a motion for extension of time on grounds that the management evaluation decision that he received on 14 October 2014 provided details not previously available to him.

5. On 27 October 2014, this Tribunal granted the Applicant's Motion to Amend the Application and directed the Applicant to file his amended application by 13 December 2014. The Tribunal also gave the Respondent until 14 January 2015 to file his submissions in response to the amended application.

6. On 16 December 2014, the Applicant filed the subject motion of this Order informing the Tribunal that the Parties had reached an amicable settlement of this matter.

DIRECTIONS

7. The Tribunal congratulates the Parties for having resolved this dispute *inter partes*. The Tribunal especially appreciates and commends the Parties' for having independently conducted themselves towards having this matter efficiently and expeditiously settled.

8. The Tribunal hereby **RECORDS** the contents of the Applicant's Motion and **ORDERS** that the matter of *Oketch v Secretary General of the United Nations* (UNDT/NBI/2014/087) be struck off the Court's docket with prejudice.

(signed)

Judge Vinod Boolell

Dated this 18th day of December 2014

Entered in the Register on this 18th day of December 2014

(signed)

Abena Kwakye-Berko, Registrar, Nairobi