

CONSEIL DE L'EUROPE—— ——COUNCIL OF EUROPE

COMMISSION DE RECOURS APPEALS BOARD

Appeal No. 4/1971 (Francesco CATALANO v. Secretary General)

The Appeals Board, sitting in private on 1 and 2 December 1971 at Strasbourg, under the presidency of Mr. G.H. van HERWAARDEN, Deputy Chairman, and in the presence of:

MM. H. DELVAUX, Member, and
S. VEROSTA, Substitute Member

assisted by

MM. K. ROGGE, Secretary, and
T. GRUBER, Substitute Secretary

Having regard to the appeal lodged on 31 March 1971 by Mr. Francesco CATALANO, Head of the Population, Vocational Training and Partial Agreement Resettlement Fund Division against the Secretary General of the Council of Europe in the matter of the Secretary General's Decision No. 606 of 18 December 1971 appointing a new Deputy Director of Economic and Social Affairs;

Having regard to the registration of the appeal on 31 March 1971 by the Secretary of the Appeals Board under file No. 4/1971;

Having regard to the Order of the Deputy Chairman of the Board dated 23 April 1971 inviting the Secretary General to submit his comments on this appeal;

Having regard to the Secretary General's letter of 26 April 1971 informing the Board that he had appointed Mr. Héribert GOLSONG, Director of Legal Affairs, to represent him in the present case;

Having regard to the Secretary General's comments of 14 May 1971 together with the opinion of the Advisory Committee on Disputes (No. 1/1971) of 12 March 1971;

Having regard to the Deputy Chairman's Order of 21 June 1971 requesting the appellant to submit his comments on admissibility;

Having regard to the appellant's comments on admissibility of 25 June 1971;

Having regard to the Secretary General's statement of 4 August 1971;

Having regard to the Deputy Chairman's Order of 28 August 1971 instructing the Board's Secretary:

- to invite the appellant to submit his comments on the merits and
- to inform the parties that the Order was without prejudice to the Board's decision on the admissibility of the appeal;

Having regard to the appellant's comments on the merits, dated 17 September 1971;

Having regard to the letters sent by the Board's Secretary to the parties on 17 November 1971 confirming the Board's decision to hold a hearing on 2 December 1971;

Having regard to the appellant's statement of 1 December 1971 withdrawing his appeal unconditionally for personal reasons;

Having regard to the Secretary General's memorandum of 2 December 1971 stating:

- that he had taken note of this withdrawal,
- that in view of the "personal reasons" referred to by the appellant he had no further comments to submit on the matter;

Having regard to Rule 17 of the Rules of Procedure and Article 6 of the Statute of the Board,

Having deliberated,

the Appeals Board

1. takes note of the appellant's unconditional withdrawal;
2. decides to strike the case off its list;
3. decides that each party shall bear its own costs.

Done in French and English, the French text being authentic, on 2 December 1971.

Chairman

Secretary

G.H. van HERWAADEN

K. ROGGE