



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

NCUBE

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**ORDER ON THE PRODUCTION OF
EVIDENCE**

Counsel for the Applicant:

Daniel Trup, OSLA
Alexandre Tavadian, OSLA

Counsel for the Respondent:

Stephen Margetts, ALS/OHRM
Nicole Wynn, ALS/OHRM

Introduction and Procedural History

1. The Applicant joined the Office for Coordination of Humanitarian Affairs (OCHA) as a National Professional Officer in Zimbabwe in 2007. On 11 July 2010, OCHA deployed him to Afghanistan on a one-year fixed-term appointment as a Humanitarian Affairs Officer at the P3 level. His appointment was extended through 20 March 2012, and not renewed thereafter.

2. On 11 May 2012, the Applicant filed the present Application with the United Nations Dispute Tribunal (UNDT) in New York challenging OCHA's decision to separate him from service on grounds of unsatisfactory performance.

3. Trial commenced on 2 February 2015, and the first trial session lasted through to 5 February 2015. Proceedings were adjourned, and resumed on 15 April 2015.

DELIBERATIONS

4. As much of this case turns on the Applicant's performance and OCHA's appraisal of his performance, the Tribunal verbally directed Counsel for the Respondent to produce the record of proceedings for the two rebuttals of the Applicant's appraisal.

5. Counsel is required to file the records of proceedings for the two rebuttal exercises by **noon, Tuesday 21 April 2015**.

(Signed)

Judge Vinod Boolell

Dated this 20th day of April 2015

Entered in the Register on this 20th day of April 2015

(Signed)

Abena Kwakye-Berko, Registrar, Nairobi