



Before: Judge Margaret Tibulya.

Registry: Nairobi

Registrar: Abena Kwakye-Berko

LOTO

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**ORDER ON THE APPLICANT'S
WITNESS LIST**

Counsel for the Applicant:

Sétondji Roland Adjovi, *Etudes Vihodé*

Counsel for the Respondent:

Jacob van de Velden, AAS/ALD/OHR, UN Secretariat

Andrea Ernst, AAS/ALD/OHR, UN Secretariat

Introduction

1. On 8 July 2022, the Tribunal held a case management discussion (“CMD”) in this matter. Subsequent to the CMD, on 15 July 2022, the Tribunal requested the Applicant to submit his proposed list of witnesses.
2. On 19 July 2022, the Applicant submitted a list of nine witnesses including the Applicant, the victim of the alleged rape, officer of the Conduct and Discipline Team (“CDT”), investigators from the Office of Internal Oversight Services (“OIOS”) and other persons that may have witnessed the events leading up to this case.
3. On 25 July 2022, the Respondent filed submissions in which he opposed the calling of the CDT officer and the OIOS investigators as witnesses on the ground that their testimony would offer nothing helpful for the Tribunal to reach a decision.

Deliberations

4. The Tribunal determines that since most of the Applicant’s proposed witnesses were interviewed during the investigations, in the interest of fairly and expeditiously disposing of the case, the interview records of most of the proposed witnesses will suffice. The Tribunal finds that only five of the proposed witnesses will assist it in the determination of all the issues in the case.
5. It is determined that only the following witnesses will testify:
 - a. The Applicant;
 - b. VO1;
 - c. Mr. Okwakol;
 - d. Mr. Vadia (OIOS), and
 - e. Mr. Awuah (CDT)

Case No.: UNDT/NBI/2022/002

Order No.: 092 (NBI/2022)

(Signed)

Judge Margaret Tibulya

Dated this 29th day of July 2022

Entered in the Register on this 29th day of July 2022

(Signed)

Abena Kwakye-Berko, Registrar, Nairobi