



Before: Judge Margaret Tibulya.

Registry: Nairobi

Registrar: Abena Kwakye-Berko

KAZAZI

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**ORDER ON THE PROTECTIVE
MEASURES FOR V01 DURING ORAL
HEARING**

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. V01 is scheduled to testify on 11 August 2022.
2. By an email sent on 10 August 2022, the Respondent's Counsel informed the Tribunal that V01 does not want the Applicant to be in the hearing when she is testifying as this would cause her emotional distress.
3. In his email response, the Applicant's Counsel informed the Tribunal that the Applicant insists that he has the right to be present during the hearing. He however, agreed not to turn on his camera or speak during the hearing.

Deliberations

4. Pursuant to art. 18.4 of the UNDT Rules of Procedure, "the Dispute Tribunal may, at the request of either party, impose measures to preserve the confidentiality of the evidence, where warranted by security interests or other exceptional circumstances" and art. 19, it may "at any time, either on an application of a party or on its own initiative, issue any order or give any direction which appears to a judge to be appropriate for the fair and expeditious disposal of the case and to do justice to the parties."
5. In light of the sensitivity of the subject matter and the need to protect the wellbeing of V01, the Tribunal directs as follows:
 - a. V01 will testify *in camera*. The Registry should therefore, only allow Counsel for the Applicant, the Applicant, Counsel for the Respondent and Registry staff to be in attendance. The Registry will provide Counsel and the Applicant with a link for them to use to access the hearing.
 - b. The Applicant's camera and microphone should be turned off during the entirety of the time V01 provides evidence. The Applicant is not allowed to speak to or directly interact with V01.

Case No.: UNDT/NBI/2021/100

Order No.: 111 (NBI/2022)

(Signed)

Judge Margaret Tibulya

Dated this 10th day of August 2022

Entered in the Register on this 10th day of August 2022

(Signed)

Abena Kwakye-Berko, Registrar, Nairobi