



UNITED NATIONS DISPUTE TRIBUNAL

Case Nos.: UNDT/NBI/2021/100

Order No.: 113 (NBI/2022)

Date: 12 August 2022

Original: English

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**Before:** Judge Margaret Tibulya

**Registry:** Nairobi

**Registrar:** Abena Kwakye-Berko

KAZAZI

v.

SECRETARY-GENERAL  
OF THE UNITED NATIONS

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**ORDER ON THE APPLICANT'S  
MOTION FOR PRODUCTION OF  
ADDITIONAL DOCUMENTS AND  
FOR CALLING OF ADDITIONAL  
WITNESSES**

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**Counsel for the Applicant:**

Sétondji Roland Adjovi, *Etudes Vihodé*

**Counsel for the Respondent:**

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

Andrea Ernst, AAS/ALD/OHR, UN Secretariat

## **Introduction**

1. At the close of the hearing of the case on the merits on 11 August 2022, the Applicant made two oral submissions relating to the production of additional documents and calling of additional witnesses.
2. He subsequently filed written submissions supplementing his oral submissions. Regarding the documents, the Applicant requests for, (i) V01's certificate of completion of the mandatory BSAFE course containing V01's identification (index number and name) and the date of completion of the course, or confirmation of completion and the date of completion extracted from Inspira from V01's login ID; (ii) A document/email containing proof of Mr. Waine's 16 October 2019 instruction overruling his previous documented 14 October 2019 instruction of "Please in the meantime do not interview the subject") and (iii) Proof that the verbatim transcripts of the subject and other interviews existed in the OIOS case file as Mr. Waine claimed during his testimony.
3. He in addition requests to call Mr. Raif Kryeziu, Mr. Saif Ullah Malik and Mr. Ben Swanson to testify.

## **Deliberations**

4. Considering that the Applicant's motion falls squarely within the case management authority of this Tribunal regarding evidence, procedure and trial conduct, and based on the progress of this case, the motion is granted.
5. The Tribunal, therefore, **ORDERS** as follows:
  - a. The Respondent shall solicit and submit the requested documents by **Friday 19 August 2022**; and
  - b. The Tribunal will hear Mr. Raif Kryeziu, Mr. Saif Ullah Malik and Mr. Ben Swanson on **Monday 22 August 2022**. The Respondent is directed to contact the witnesses and avail them for the hearing on the specified date.

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*(Signed)*

Judge Margaret Tibulya

Dated this 12<sup>th</sup> day of August 2022

Entered in the Register on this 12<sup>th</sup> day of August 2022

*(Signed)*

Abena Kwakye-Berko, Registrar, Nairobi