
UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NBI/2019/108
Order No.: 225 (NBI/2020)
Date: 9 November 2020
Original:

Background

1. On 17 July 2019, the Applicant filed an application contesting the decision of the Under-Secretary-General for Management Strategy, Policy and Compliance to impose on him the disciplinary measure of separation from service with compensation in lieu of notice and with termination indemnity (the contested .
2. The Respondent replied to the application on 15 August 2019.
3. The Tribunal held a Case Management Discussion on 13 October 2020.
4. On 28 October 2020, the Tribunal issued Order No 213 (NBI/2020) in which it, inter alia, decided to hold a hearing on the merits in this case and identified nine witnesses who would testify at the said hearing.
5. On 5 November 2020, Counsel for the Respondent informed the Tribunal that one of the witnesses, who is no longer a United Nations staff member, was unwilling to testify. The other witnesses, however, will be available to testify. The Tribunal lacks the statutory powers to compel the appearance of the former staff member. The Tribunal will proceed with the hearing and shall receive oral testimony from the remainder of the witnesses.

ORDERS

6. The Tribunal shall hold a virtual hearing on the merits of this case from 23 to 25 November 2020

8. By 18 November 2020, the parties shall file a paginated, agreed bundle of documents that will be referred to by the witnesses during the hearing.

9. The parties are reminded that recording of courtroom proceedings is not permitted.

(Signed)

Judge Margaret Tibulya

Dated this 9th day of November 2020

Entered in the Register on this 9th day of November 202

(Signed)

Abena Kwakye-Berko, Registrar, Nairobi