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UNITED NATIONS Dg.14 Tma] TJ E

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Case No. UNDT/NBI/2020/051

OrderNo. 199(NBI/2021)

and 57 WR WKH 2,26 5HSRUW ZKLFK LV rep[HG WR W  
R/2.

b. The alleged Summons dated 28 July 2008

c. Extract of the \$ S S O L F D Q W ¶ V A p p l i c a n t ' s W h e n a c c o r d i n g to the Respondent, he says he personally delivered the fake passports to the Complainant's R/2 attachment Doc 60 lines 44-453.

d. Extract of the \$ S S O L F D Q W ¶ V L Q W H U Y, L a b b e r R e p o r t - X O \ the Respondent, he stated that he did not see fit to appeal the Judgment attachment Doc 69 lines 20-211 to the OIOS Report which is annexed to the 5 H V S R Q G H Q W ¶ V A i s s u e s Q u e r y a t R / 2 ¶ V

8. The Tribunal identified the issues for adjudication in this matter as follows:

a. Whether the facts are established by clear and convincing evidence, in particular, firstly regarding the 2007-2008 interactions between the Applicant and the Complainant, was there any arrest outside UNOCI? Secondly regarding the 2 March 2009 Judgment document, does it prove there was an indictment, fine or imprisonment? Thirdly, was there sound basis for the 5 H V S R Q G H Q W ¶ V A i s s u e s Q u e r y a t R / 2 ¶ V by giving varying accounts and by inherent lack of logic in his version of events?

b. Whether the facts amount to misconduct

c. : K H W K H U W K H \$ S S O L F D Q W ¶ V G X H S U R F H V V U L J K

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- a. The parties will file their respective witness statements by 11 October 2021;
- b. This case will be heard on 27, 28 and 29 October 2021 on MS Teams commencing at 1400hrs(Nairobi time)
- c. Parties are directed to provide the Registry with alternative contact details for themselves and their witnesses by 21 October 2021.

(Signed)

Judge Eleanor Donaldson Honeywell

Dated this 21<sup>st</sup> day of September 2021

Entered in the Register on the 23<sup>rd</sup> day of September 2021

(Signed)

Abena Kwakye Berko, Registrar Nairobi