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UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NBI/2020/01  
OrderNo.: 218(NBI/2021)  
Date: 13 October 2021  
Original: English

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Before: Judge Eleanor Donaldson Honeywell  
Registry: Nairobi  
Registrar: Abena Kwakye-Berko

AMANI

v.

SECRETARY-GENERAL  
OF THE UNITED NATIONS

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DECISION ON THE 5 ( 6 3 2 1 ' ( 1 7 ¶  
INTERLOCUTORY MOTIONS

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Counsel for the Applicant:  
Setondji Roland Adjovi

Counsel for the Respondent:  
Romy Batrouni, AAS/ALD/OHR, UN Secretariat  
Jacob van de Velde, AAS/ALD/OHR, UN Secretariat





16. All requests for proceedings to be dismissed with costs, and without an oral hearing are refused.

17. The motion to dismiss for failure to comply with the order on the filing of witness statements was premature as Applicant did somewhat comply. He has attached a detailed statement of the evidence he plans to give. As to the other witnesses mentioned by Counsel for the Applicant, a very brief statement of what they may testify to is provided. The brief statement is what the Tribunal had in mind when it ordered the filing of statements. Therefore, Counsel is advised to take note that their testimony at the hearing will be limited to testifying on information already on record for the Applicant, i.e. as his corroborating witnesses. No surprise new information will be permitted from these witnesses at trial.

18. The parties will be limited at trial to giving evidence based on the filed documents.

19. Parties may submit at trial on the adverse inferences and costs implications arising from the witness evidence content information filed by the Applicant.

#### Order

20. The hearing in the matter of Amani v Secretary General of the United Nations will proceed, in open session, as previously directed, on 27, 28 and 29 October 2021 on MS Teams commencing at 1400hrs (Nairobi time)