



## **Introduction**

1. The staff member who is the subject of these proceedings previously served as the Resident Representative of the United Nations Development Programme in Guinea-Bissau, at the D-1 level on a fixed-term appointment. He was separated from service for misconduct.
2. A hearing on the merits took place on 21 October 2024. The Applicant testified, was cross-examined by the Respondent, and re-examined by counsel acting for him.

## **Consideration**

3. At the end of the hearing, counsel for the Respondent moved for an additional witness to be called to testify.
4. This witness was not previously confirmed to appear. She was one of the two Deputy Resident Representatives at the UNDP Office in Guinea-Bissau at the material time in this case.
5. Counsel for the Applicant objected to this witness being called.
6. The Tribunal heard both parties on the procedure for calling a witness and on the relevance of her testimony.

## **Conclusion**

7. The following ORDERS are issued:
  - a. The evidence is now declared closed;
  - b. The Respondent's Motion for the additional witness to testify is REFUSED;
  - c. The parties will file their closing submissions, referring only to the

Case No. UNDT/NBI/2023/068

Order No. 144 (NBI/2024)

Judge Sean Wallace

Dated this 22<sup>nd</sup> day of October 2024

Entered in the Register on this 22<sup>nd</sup> day of October 2024

Wanda L. Carter, Registrar, Nairobi