



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NBI/2024/063
Order No.: 179 (NBI/2025)
Date: 6 October 2025
Original: English

Before: Judge Sean Wallace

Registry: Nairobi

Registrar: Wanda L. Carter

RUDOLF JOCONDO

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**ORDER ON THE APPLICANT'S
MOTION TO TAKE JUDICIAL
NOTICE AND TO REVISIT
PARAGRAPH 5 OF ORDER NO. 164
(NBI/2025)**

Counsel for Applicant:

Sètondji Roland Adjovi, *Etudes Vihodé Ltée*
Anthony Kreil Wilson, *Etudes Vihodé Ltée*

Counsel for Respondent:

Lucienne Pierre, DAS/ALD/OHR, UN Secretariat
Tamal Mandal, DAS/ALD/OHR, UN Secretariat

Introduction

1. The Applicant requested the Tribunal to instruct “Counsel for the Respondent that none of the Applicant’s submissions is shared with the witnesses before their testimony is adduced, either in totality or partially”.

2. On 23 September 2025, the Tribunal issued Order No. 164 (NBI/2025), which addressed the Applicant’s request:

Regarding the Applicant’s request for an order prohibiting the Respondent from sharing his submissions with witnesses, the Applicant does not identify a specific case wherein the Tribunal found the Respondent culpable for such a practice. Moreover, the Tribunal recalls that counsel are bound by the Code of Conduct. (Paragraph 5).

3. The same day, the Applicant filed a motion requesting the Tribunal: to take judicial notice of paras. 24-28 of *Applicant*, Order No. 50 (NY/2025) and paras. 7-8 of *Applicant*, Order No. 64 (GVA/2025); to reconsider its decision in para. 5 of Order No. 164 (NBI/2025); and to instruct Counsel for the Respondent that none of the Applicant’s submissions is shared with the witnesses before their testimony is adduced, either in totality or partially.

Consideration

4. The Tribunal has read the case Orders that the Applicant references, but finds neither of them requires revisiting Order No. 164 in this case.

5. Moreover, by Order No. 178 (NBI/2025), the Tribunal has determined that no witness testimony shall be taken in this case. Accordingly, the Applicant’s motion is moot.

Conclusion

6. The Applicant's motion requesting the Tribunal to revisit para. 5 of Order No. 164 (NBI/2025) is rejected.

(Signed)

Judge Sean Wallace

Dated this 6th day of October 2025

Entered in the Register on this 6th day of October 2025

(Signed)

Isaac Endeley, for Wanda L. Carter, Registrar, Nairobi