

Introdu

motion for combined proceedings and the Applicant's motion for disclosure of the reports of the Fact Finding Panel.

6. The CMD took place on 15 September 2016.

7. On 19 September 2016, the Tribunal issued Order No. 435 (NBI/2016) summarising the contents of the CMD and required both Parties to disclose several relevant documents.

8. The Respondent complied with the Order, as directed, and the relevant documents were filed on 27 September 2016.

- i. the relevant minute, or a note relating to it, was placed on the Applicant's personnel file and if so the date that it was placed and by whose direction or instruction;
- ii. the Fact Finding Panel's Report, which was sent to the Special Representative of the Secretary-General (SRSG) Mladenov on 20 February 2015, is identical in all respects to the report that was used by SRSG Kubis in making his decision and which was subsequently filed with the Tribunal. If the reports are not identical, or if any other document/s were attached to the Report considered by SRSG Kubis, the same is to be filed with the Tribunal, unredacted, with a redacted copy to the Applicant.
- iii. SRSG Kubis had any discussion with, or consulted, any person/s in order to carry out his task of evaluating the Report of the Fact Finding Panel prior to making a decision on the appropriate course to adopt. If any such discussion had taken place, to identify the person/s indicating the purpose of such discussions;
- iv. SRSG Mladenov or SRSG Kubis had, or are expected to have, any discussion with the person(s) dealing with the complaint made against Ms Yasin.

(Signed)

Judge Goolam Meeran

Dated this 26th day of October 2016

Entered in the Register on this 26th day of October 2016

(Signed)

Abena Kwakye-Berko, Registrar, Nairobi