



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NBI/2019/005
Order No.: 072 (NBI/2020)
Date: 17 April 2020
Original: English

Before: Judge Margaret Tibulya

Registry: Nairobi

Registrar: Abena Kwakye-Berko

AZAR

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

ORDER ON CASE MANAGEMENT

Counsel for the Applicant:
Self-represented

Counsel for the Respondent:
Elizabeth Gall, AAS/ALD/OHR
Jonathan Croft, AAS/ALD/OHR

Background

1. The Applicant is a former staff member of the United Nations Interim Force in Lebanon (“UNIFIL”).
2. On 28 January 2019, he filed an application contesting the decision of the Under-Secretary-General for Management (“USG/DM”) to authorise the withholding of his final entitlements to cover any indebtedness to the Organization in accordance with staff rule 3.18(c)(ii) and withhold the issuance of any notification to the pension fund of his separation until he has satisfactorily settled all indebtedness to the Organization in accordance with paragraph 12 of ST/AI/155/Rev.2 (Personnel Payroll Clearance Action) as amended.
3. The Respondent replied to the application on 1 March 2019.

ORDERS

4. The Tribunal shall hold a case management discussion (“CMD”) commencing at 1500 hours on 22 April 2020 via video conferencing, details of which will be transmitted to the parties by the Registry. At the CMD, the parties should be fully prepared to discuss the following:
 - a. The essence of the claim and the core issues requiring factual determination by the Tribunal;
 - b. Relevant jurisprudence and administrative issuances the Tribunal should take into consideration;
 - c. Any motions that require immediate judicial intervention; and
 - d. Whether the case may be decided on the documents or whether an oral hearing is necessary.
5. Should the parties deem a hearing to be necessary, they should be able to:

- a. Identify the witnesses to be called and provide a synopsis of their anticipated evidence;
- b. Agree on a date to file a paginated, agreed bundle of documents that will be referred to by the witnesses during the hearing; and
- c. Agree on dates during the week of 11 May 2020 for a hearing.

(Signed)

Judge Margaret Tibulya

Dated this 17th day of April 2020

Entered in the Register on this 17th day of April 2020

(Signed)

Abena Kwakye-Berko, Registrar, Nairobi