



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NBI/2022/039

Order No.: 123 (NBI/2023)

Date: 31 July 2023

Original: English

Before: Judge Sean Wallace

Registry: Nairobi

Registrar: Abena Kwakye-Berko

IRAMBONA

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

ORDER ON CASE MANAGEMENT

Counsel for the Applicant:

Robbie Leighton, OSLA

Counsel for the Respondent:

Maureen Munyolo, AS/ALD/OHR, UN Secretariat

Introduction

1. On 14 April 2022, the Applicant filed an application in which he contests: (a) the implied decision to refer allegations of theft, of which he was accused, to Burundian national authorities; (b) the implied decision to waive his immunity in relation to the theft case of which the Applicant was accused; (c) the decision to retain monies paid by the Applicant to the United Nations in relation to a theft which has not been investigated and in relation to which no disciplinary finding was ever made; and (d) the decision not to pay his last month's salary and separation entitlements.

2. On 23 May 2022, the Respondent filed his reply in which he contested the receivability of the application and asserted that should the application be found receivable, the Applicant's claims have no merit.

3. On 15 November 2022, the Tribunal directed the Applicant to provide his comments on the Respondent's reply, if any, not later than Tuesday, 22 November 2022 at 5.00 p.m. (Nairobi Time, UTC +3).

4. On 22 November 2022, the Applicant filed his comments on the Respondent's reply.

5. In view of the submissions by the parties, the Tribunal has decided to hold a case management discussion ("CMD").

6. The purpose of the CMD is further identification of disputed issues, including the designation of the money paid by the Applicant.

IT IS ORDERED THAT:

7. The parties shall attend a CMD via Microsoft Teams at 3.00 p.m. (Nairobi Time, UTC +3) on Wednesday, 2 August 2023. The CMD will be open to the public.

8. The parties or their duly designated representatives must attend the CMD. The Registry will provide a link to access the meeting.

(Signed)

Judge Sean Wallace

Dated this 31st day of July 2023

Entered in the Register on this 31st day of July 2023

(Signed)

Abena Kwakye-Berko, Registrar, Nairobi