



Before: Judge Sean Wallace

Registry: Nairobi

Registrar: Wanda L. Carter

BUBEGA

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**ORDER
ON CASE MANAGEMENT**

Counsel for the Applicant:

Ana Giulia Stella, OSLA

Counsel for the Respondent:

Wei Zhuang, AAS/ALD/OHR, UN Secretariat

Talha Konukpay, AAS/ALD/OHR, UN Secretariat

Introduction

1. The Applicant served the Organization as a Disarmament, Demobilization and Reintegration Assistant at the United Nations Organization Stabilization Mission in the Democratic Republic of Congo (MONUSCO) on a fixed term appointment at the G4 level. He retired on 31 December 2023.
2. On 12 July 2024, the Applicant filed an application with the United Nations Dispute Tribunal sitting in Nairobi to challenge the Respondent's decision to delay the payment of his pension benefit upon retirement on grounds that he was being investigated for medical insurance fraud. It is the Applicant's case that the impugned decision was unlawful, and that it caused him "financial loss and moral harm" for which he should be compensated.
3. The Respondent replied on 15 August 2024.
4. The Applicant filed his rejoinder to the reply on 11 November 2024.

Consideration and Order

5. The Tribunal has reviewed the parties' submissions and takes the view that a case management discussion ("CMD") would facilitate fair, efficient and expeditious management and disposal of this case.
6. A CMD will take place on **Tuesday, 14 January 2025 at 3.30 p.m. (Nairobi Time, UTC +3)** using Microsoft Teams. At the CMD, the Tribunal and the parties will:
 - a. Ascertain whether the parties are amenable to considering an alternative resolution to the dispute;
 - b. Discuss the claims and issues in the case;
 - c. Identify the factual and legal issues to be determined;
 - d. Consider what further information, if any, is required;
 - e. Identify any documents to be disclosed;

f. Consider if the case may be decided on the basis of the documents, or whether a hearing should be held, and, if there is to be a hearing, to set the dates, identify the witnesses to be called and the documents to be presented; and

g. Discuss any other matter relevant to these proceedings.

7. As this case management discussion is being held virtually with all parties appearing from their respective locations, counsel are requested to provide the Registry with the relevant contact details no later than **10 January 2025**.

(Signed)

Judge Sean Wallace

Dated this 13th day of December 2024

Entered in the Register on this 13th day of December 2024

(Signed)

Wanda L. Carter, Registrar, Nairobi