

# UNDT/2020/045, Ocokuru

## UNAT Held or UNDT Pronouncements

The Tribunal held that regarding the Applicant's requests for compensation for time spent since she separated from the Organisation, salary arrears, interest of 15% paid on compensation and salary arrears and the reimbursement of the expenses incurred on medical bills these claims were not awarded by the UNDT Judgment and such could not be claimed as part of the execution. As such, all the four claims were rejected. However, the Tribunal found that the only issue relevant to the execution of the UNDT Judgment that was still pending was the interest due on awards granted therein. Accordingly, the Tribunal directed the Respondent to calculate and pay the Applicant the difference between any interest previously paid and the outstanding compounded interest on the compensation awarded by Judgment No.

UNDT/2015/004, taking as basis the prime US rate from 18 March 2015 until 17 May 2015 and with additional 5% counted from 18 May 2015 until the day of payment.

## Decision Contested or Judgment/Order Appealed

The Applicant sought execution of Judgment No. UNDT/2015/004. By way of specific pleadings, the Applicant requested for: (a) compensation and damages for the time since she separated from the Organisation (b) salary arrears (c) interest of 15% paid on compensation and claimed salary arrears and (d) reimbursement of expenses she incurred on medical bills.

## Legal Principle(s)

Pursuant to art. 12.4 of the UNDT Statute, once a judgment is executable, any party may apply to the UNDT for an order for execution of the judgment if the judgment requires execution within a certain period of time and such execution has not been carried out.

## Outcome

Revision, correction, interpretation or execution

## Full judgment

[Full judgment](#)

## Applicants/Appellants

Ocokuru

## Entity

UNMISS

## Case Number(s)

UNDT/NBI/2019/168

## Tribunal

UNDT

## Registry

Nairobi

## Date of Judgement

27 Mar 2020

## Language of Judgment

English

French

## Issuance Type

Judgment

## Categories/Subcategories

Judgment-related matters

## Applicable Law

UNDT Statute

- Article 12.4