

2010-UNAT-093, Iannelli

UNAT Held or UNDT Pronouncements

UNAT considered an appeal by the Secretary-General on the matter of the interest. UNAT held that UNDT has the power to award interest but erred in ordering the payment of interest at the rate of eight per cent per annum. UNAT allowed the appeal in part, set aside the award of interest from the UNDT judgment, and awarded interest at the US Prime Rate applicable at the date that the entitlements became due. UNAT held that if the judgment was not executed within 60 days, five per cent should be added to the US Prime Rate from the date of expiry of the 60-day period to the date of payment of the grants.

Decision Contested or Judgment/Order Appealed

Mr Iannelli challenged the decision not to pay him an assignment grant and relocation grant. UNDT found in Mr Iannelli's favour and ordered the Secretary-General to pay him both grants and interest at the rate of eight per cent per annum from the date the payments fell due.

Legal Principle(s)

Both UNDT and UNAT have the power to award interest in the normal course of ordering compensation. The award of interest by UNDT and UNAT is necessary to ensure that payments to staff are made by the Organisation.

Outcome

Appeal granted in part

Full judgment

[Full judgment](#)

Applicants/Appellants

Iannelli

Entity

UNOPS

Case Number(s)

2010-093

Tribunal

UNAT

Registry

New York

Date of Judgement

28 Oct 2010

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

TEST -Rename- Benefits and entitlements-45

Relocation grant

Compensation

Applicable Law

GA Resolutions

- A/RES/63/253

Related Judgments and Orders

UNDT/2010/057

2010-UNAT-059