

2013-UNAT-318, Frechon

UNAT Held or UNDT Pronouncements

UNAT considered an application for execution of judgment No. 2011-UNAT-132 filed by Ms Frechon. Ms Frechon sought execution of what she maintained was the order of UNAT, namely, that the Secretary-General should pay her two years' salary in lieu of an effective reinstatement. UNAT held that the order in respect of which Ms Frechon sought execution was not an order which was affirmed by UNAT. UNAT held that Ms Frechon could seek execution of UNAT's order to the extent that the Secretary-General failed to reinstate her for the purpose of the correct procedure, thereby entitling her to the remedy providing in the alternative, namely two years' net base pay; however, UNAT noted that she had been reinstated. UNAT rejected the application for execution.

Decision Contested or Judgment/Order Appealed

In judgment No. 2011-UNAT-132, UNAT upheld the rescission of the contested decision but varied the orders which were made. UNAT ordered Ms Frechon's reinstatement for the sole purpose of the Administration initiating the correct procedures for termination of appointment for reasons of health.

Legal Principle(s)

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Outcome

Appeal dismissed on merits

Full judgment

[Full judgment](#)

Applicants/Appellants

Frechon

Entity

ICTR

Case Number(s)

2012-299

Tribunal

UNAT

Registry

New York

Date of Judgement

28 Mar 2013

President Judge

Judge Faherty

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Judgment-related matters

Execution of Judgment

Applicable Law

Administrative Instructions

- ST/AI/1999/16

UNAT Statute

- Article 11

Related Judgments and Orders

2011-UNAT-132