

2018-UNAT-827, Awe

UNAT Held or UNDT Pronouncements

UNAT considered an application for interpretation of judgment No. 2017-UNAT-774 filed by Mr Awe. The application was admitted in part. UNAT ordered the Secretary-General to send a corrected version of the meeting minutes and of the FFP's findings to all the recipients of the 22 January 2014 meeting minutes. UNAT held that its judgment did not address the question of whether Mr Awe could request disciplinary actions against Ms Yasin, or whether he could claim compensation for procedural errors in case such actions have not been undertaken since these issues were the subject of Mr Awe's separate application to UNDT, Case No. NBI/2017/060. UNAT held that judgment No. 2017-UNAT-774 finally settled Mr Awe's claims for compensation for loss of reputation and professional standing about the 22 January 2014 meeting and its minutes including any actions and wrongdoings by Ms Yasin. UNAT held that the application on all remaining issues was inadmissible.

Decision Contested or Judgment/Order Appealed

UNAT judgment: The Applicant filed an application challenging the Administration's decision with respect to Mr. Rutger's abuse of authority and harassment and a second application challenging the Administration's actions with respect to the Fact-Finding Panel's (FFP) findings against Ms. Yasin and the failure to afford him an effective remedy. Regarding the second application, UNDT held that it was premature since no final administrative decision had been taken in relation to the complaint against Ms Yasin. Regarding the first application, UNDT held that the FFP had established that the Applicant's allegations were well-founded and that the conduct in question amounted to possible misconduct. On the issue of compensation, UNDT held that the Applicant suffered damage to his reputation and professional standing exacerbated by the continuing and unacceptable delay in affording him the relief to which he was entitled. UNDT granted the Applicant compensation for the procedural error and the harm he suffered. The Secretary-General appealed. UNAT upheld the appeal in part and modified the UNDT judgment, insofar as it awarded compensation for procedural error and to reduce the compensation for harm.

Legal Principle(s)

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Outcome

Revision, correction, interpretation or execution

Full judgment

[Full judgment](#)

Applicants/Appellants

Awe

Entity

OIOS

Case Number(s)

2017-1116

Tribunal

UNAT

Registry

New York

Date of Judgement

22 Mar 2018
President Judge
Judge Knierim
Language of Judgment
English
Issuance Type
Judgment
Categories/Subcategories
Judgment-related matters
Interpretation of Judgment
Applicable Law
UNAT RoP

- Article 25

UNAT Statute

- Article 11.3

Related Judgments and Orders
2017-UNAT-774