

2023-UNAT-1380, Said Hassan Awad

UNAT Held or UNDT Pronouncements

The UNAT found that the relief sought in the application concerned an issue not previously raised before the UNDT or the UNAT, being the recovery of an amount already paid as an admissible expense on a sliding scale.

The UNAT held that there was nothing in the meaning or scope of the prior Judgment that was unclear or ambiguous, the terms of the order were clear. The UNAT noted there was no need to interpret the prior Judgment to clarify its meaning, nor were there reasonable doubts about what constituted the UNAT's decision or the reasons for it.

The UNAT was of the view that there was also no clerical, arithmetical or accidental error or slip in the prior Judgment that required correction.

The UNAT dismissed the application for interpretation and correction of Judgment No. 2022-UNAT-1279.

Decision Contested or Judgment/Order Appealed

The Secretary-General filed an application for interpretation and correction of a prior UNAT Judgment No. 2022-UNAT-1279. In the prior case, the Tribunals had examined whether certain fees for the attendance of the staff member's child at a university were admissible for computing his education grant. The UNAT ordered the Secretary-General to accept the "computer fee" and the "new student fee" as admissible expenses.

The Secretary-General requested guidance in the form of an interpretation of the amount payable to the staff member and, if appropriate, to issue a correction to the prior Judgment.

Legal Principle(s)

An application for interpretation of a prior Judgment may only be admitted if the meaning or scope of the Judgment is unclear or ambiguous.

While the Appeals Tribunal will interpret its judgments and modify remedies awarded to correct obvious mistakes, it is not its task to provide guidance on the manner in which its orders are to be implemented or executed.

Outcome

Revision, correction, interpretation or execution

Full judgment

[Full judgment](#)

Applicants/Appellants

Said Hassan Awad

Entity

DOS

Case Number(s)

2022-1769

Tribunal

UNAT

Registry

New York

Date of Judgement

9 Nov 2023

President Judge

Judge Colgan

Judge Gao

Judge Savage

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Education grant

Correction of Judgment

Interpretation of Judgment

Benefits and entitlements

Judgment-related matters

Applicable Law

Administrative Instructions

- ST/AI/2018/1/Rev.1

Staff Regulations

- Regulation 3.2

Staff Rules

- Appendix B
- Rule 3.9

UNAT RoP

- Article 25

UNAT Statute

- Article 10.6
- Article 11.3

Related Judgments and Orders

2020-UNAT-997

2022-UNAT-1279

2013-UNAT-315

2022-UNAT-1237

2020-UNAT-999