



1. The United Nations Appeals Tribunal (UNAT or Appeals Tribunal) has before it an application for interpretation of Judgment No. 2011-UNAT-148 dated 8 July 2011, filed by Mr. Artjon Shkurtaj on 29 September 2011. The Secretary-General of the United Nations filed his comments on 10 November 2011.

Facts and Procedure

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Considerations

11. Article 25 of the Rules of Procedure of this Tribunal provides:

Either party may apply to the Appeals Tribunal for an interpretation of the meaning or scope of a judgment on a prescribed form. The application for interpretation shall be sent to the other party, who shall have 30 days to submit comments on the application on a prescribed form. The Appeals Tribunal will decide whether to admit the application for interpretation and, if it does so, shall issue its interpretation.

12. In Judgment No. 2011-UNAT-148, the Appeals Tribunal upheld Judgment No. UNDT/2010/156, and awarded Mr. Shkurta six months' net base salary with an additional USD 5,000 compensation for delay. The Secretary-General was required to pay the above amount within 60 days from the date of the Judgment of this Tribunal.

13. The contention between the parties is whether interest should be calculated from the date of the UNDT judgment or the Appeals Tribunal Judgment. Bearing in mind the opposing contentions of the parties on whether interest on the compensation is calculated 60 days from the date of the Dispute Tribunal Judgment or as of the date of the UNAT judgment, this Tribunal will grant the application for interpretation.

14. The Appeals Tribunal has previously held in *Warren* and *Mmata* that interest is to be paid at the US Prime rate "from the date on which the entitlement becomes due, which in this case is the date of the UNDT Judgment".¹

15. The interest payable is at the US Prime Rate and an extra five percent shall be added to the US Prime Rate if the Judgment is not executed within 60 days of its issuance to the parties.

16. In the present case the interest on the compensation is to be calculated from the date on which the UNDT issued its judgment.

¹ *Warren v. Secretary-General of the United Nations*, Judgment No. 2010-UNAT-059; *Mmata v. Secretary-General of the United Nations*, Judgment No. 2010-UNAT-092.

THE UNITED NATIONS APPEALS TRIBUNAL

Judgment No. 2012-UNAT-322

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