UNITED NATIONS APPEALS TRIBUNAL
TRIBUNAL D'APPEL DES NATIONS UNIES

Judgment No. 2022-UNAT-1237

Ade Mamonyane Beatrice Lekoetje
(Respondent/Applicant)

v.

Secretary-General of the United Nations
(Appellant/Respondent)

JUDGMENT ON APPLICATION FOR INTREPRETATION

Before:	Judge Graeme Colgan, Presiding Judge Kanwaldeep Sandhu Judge John Raymond Murphy
Case No.:	2022-1702
Date of Decision:	1 July 2022
Date of Publication:	12 July 2022
Registrar:	Weicheng Lin

Counsel for Ms. Lekoetje:	George G. Irving
Counsel for the Secretary-General:	Noam Wiener

JUDGE GRAEME COLGAN, PRESIDING.

1. In our Judgment No. 2022-UNAT-1227,[1] we modified the UNDT's remedies' award by providing that Ms. Lekoetje was to receive a sum equivalent to one year's salary but from which the sum of USD 20,987.91 was to be deducted. That latter sum was intended to represent repayment to the Organisation of the benefits which she had received improperly. The Judgement was released to the parties on 18 May 2022.

2. On 6 June 2022, the Secretary-General filed an application for interpretation on the basis that this sum of USD 20,987.91 had in fact been deducted from Ms. Lekoetje's final entitlements when she ceased her employment with the Organisation so that our order, interpreted strictly, would require a further and unwarranted deduction. In her comments received on 8 June 2022, Ms. Lekoetje agrees with the Secretary-General's presentation of the background to the case and confirms that the sum of USD 20, 987.91 has already been deducted by the Organization from her final entitlements.

3. We accept that this is the position and, in these circumstances, it is appropriate to interpret our judgment as now requiring the payment to Ms. Lekoetje of a sum equal to one year's net base salary but without deduction and we so order.

[1] *Ade Mamonyane Beatrice Lekoetje v. Secretary-General of the United Nations*, Judgment No. 2022-UNAT-1227.

Judgment

4. The application for interpretation is granted. The second sentence of paragraph 142 of Judgment No. 2022-UNAT-1227 is modified to read:

> In substitution for those monetary remedies allowed by the UNDT we direct that Ms. Lekoetje is to have a sum equivalent to one year's net base salary pursuant to Article 9(1)(a) of the Appeal Tribunal Statute; and the UNDT's award of moral damages is set aside.

Original and Authoritative Version: English

Decision dated this 1st day of July 2022 in New York, United States.

(Signed)	*(Signed)*	*(Signed)*
Judge Colgan, Presiding	Judge Sandhu	Judge Murphy

Judgment published and entered into the Register on this 12th day of July 2022 in New York, United States.

(Signed)

Weicheng Lin, Registrar