



7. Accordingly, the Applicant requests the Tribunal to clarify whether he should be removed from ALWOP starting from 27 July 2020 or from the date of the Order suspending his placement on ALWOP which was issued on 10 August 2020.⁴

Considerations

8. Paragraph 48 of Order No. 150 (NBI/2020), to which the Applicant refers reads, “the application is granted and the decision to place the Applicant on administrative without pay is suspended”.

9. In *Porter*⁵, the Appeals Tribunal held that “[i]t is trite law that interpretation is only needed to clarify the meaning of a judgment when it leaves reasonable doubt about the will of the Tribunal or the arguments leading to a decision”. Accordingly, “if the judgment is comprehensible, whatever opinion the parties may have about it or its reasoning, an application for interpretation is not admissible”.

10. In the present application for interpretation, the Applicant does not state that para. 48 of the order in question is not comprehensible. Order No. 150 (NBI/2020) does not set any other date of its effect and as such, absent any other provision to the contrary, is effective as of the date of its issuance. This results from the entirety of the applicable norms. It is apparent that the Applicant does not seek interpretation of the Order but rather attempts to set interpretation of the rule expressed by art. 2 of the UNDT statute so as to give the suspension of his ALWOP a retroactive effect. The Tribunal will not entertain this request.

Conclusion

11. The application for interpretation is refused.

⁴ Application, para 6.

⁵ *Porter* 2017-UNAT-796-para. 20.

Case No.: UNDT/NBI/2020/066

Order No.: 156 (NBI/2020)

(Signed)

Judge Agnieszka Klonowiecka-Milart

Dated this 20th day of August 2020

Entered in the Register on this 20th day of August 2020

(Signed)