



IN THE MATTER OF:

*E.K., Applicant*

v.

*Chairperson of the African Union Commission, Respondent*

FOR APPLICANT: Rodgers Matsikidze, Esq.

FOR RESPONDENT: Namira Negm, Legal Counsel, African Union Commission

BEFORE: S. MAINGA, President, J. SEDQI, and P. COMOANE

HEARD ON: 29 September 2020

CONSENT JUDGMENT

1. On 12 May 2020, Applicant, a former staff member of the African Rehabilitation Institute (ARI), filed this application seeking unpaid salaries and benefits following the dissolution and winding down of ARI operations under EX.CL/Dec. 750(XXII).
2. On 29 July 2020, Respondent filed his Answer conceding that Applicant's claims are undisputed and Respondent is indebted to Applicant in the amount of \$39,832.12.
3. The Tribunal has before it a settlement agreement signed by Counsel for Respondent on 29 July 2020 and by Applicant on 12 August 2020, which stipulated as follows:

[...]

1. That the Applicant proceeds with the claim of his [sic] terminal benefits worth US \$34,832.00 as the total amount of salaries and gratuity uncontested.
2. That the parties settle as follows:
  - a. That the Respondent is indebted to the Applicant and has an obligation to the cost of suit ... [in] the amount of US\$5,000, which bring [sic] the Applicant's total claim to an amount of US\$39,832.12.
  - b. Should the Respondent fail to honour the terms of [this agreement] by not making payment on the due date granted by [the Tribunal], the Applicant will proceed to apply for judgment of the Tribunal on the basis of contempt of [the Tribunal].
4. During the August 2020 Session, the Tribunal invited the parties to agree on a timeline for executing the agreement. On 18 September 2020, Counsel for Applicant informed the Tribunal that no such agreement had been reached, and sought an order for the full sum to be paid within seven days of judgment, with interest thereon until full payment. By electronic mail received on 29 September 2020, Respondent informed the Tribunal that he intends to pay the settlement sum "by December 2020, funds permitting."

*Orders*

5. The parties having concluded a settlement agreement, the Tribunal ORDERS as follows:
- a. The settlement agreement is made an order of the Tribunal;
  - b. Respondent shall pay Applicant \$39,832.12 within thirty days of this Judgment, failing which a 5% interest per annum shall accrue and run until full payment.

Date: 13 October 2020

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SYLVESTER MAINGA, PRESIDENT  
JAMILA B. SEDQI  
PAULO D. COMOANE

Secretary: *Paulo D. Comoane*