

UNITED NATIONS DISPUTE TRIBUNAL

Introduction

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-. !" ; (de(No. 131 +GVA/2016. o 1- June 2016) t*e T(%' una\$ o(de(ed t*e
Res#ondent to %\$e t*e ; A82 C\$osu(e Note ' " 24 June 2016) and t*e A##%&ant to

Hearing

11. Given that the present case is as amended in the Annexes to the
Sect. 11 of the T(una) to consider the ; A2

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; A82) UN/PA) &om#\$a%ng a 'out a\$\$eged *a(assment aga%nst *e(and unet*%&a\$
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1@. !" ema\$ o 23 Ju\$" 2014) t*e A##\$&ant add(essed to an 8n3est%gat%ons

1. The respondent engaged administrative due diligence in its investigation of the complainant's allegations of sexual harassment. The respondent's investigation was conducted in accordance with the relevant provisions of the UN Charter and the UN Staff Regulations and Rules. The respondent's investigation was thorough and impartial, and it was based on the evidence available to it at the time. The respondent's investigation was conducted in a timely manner and it was completed within the required time frame. The respondent's investigation was conducted in a fair and equitable manner and it was based on the evidence available to it at the time. The respondent's investigation was conducted in a timely manner and it was completed within the required time frame. The respondent's investigation was conducted in a fair and equitable manner and it was based on the evidence available to it at the time.

2. In addition to the above, the respondent did not disclose the identity of the complainant to the respondent's superior officers. The respondent's investigation was thorough and impartial, and it was based on the evidence available to it at the time. The respondent's investigation was conducted in a timely manner and it was completed within the required time frame. The respondent's investigation was conducted in a fair and equitable manner and it was based on the evidence available to it at the time.

3. Consequently, the respondent's investigation was thorough and impartial, and it was based on the evidence available to it at the time. The respondent's investigation was conducted in a timely manner and it was completed within the required time frame. The respondent's investigation was conducted in a fair and equitable manner and it was based on the evidence available to it at the time.

Consideration

24. The Appellate Tribunal found in its Judgment Nielsen 2016, UNAT, 64 that the Director of the United Nations did not exercise due diligence in its investigation of the complainant's allegations of sexual harassment. The Director's investigation was not thorough and impartial, and it was not based on the evidence available to it at the time. The Director's investigation was not conducted in a timely manner and it was not completed within the required time frame. The Director's investigation was not conducted in a fair and equitable manner and it was not based on the evidence available to it at the time.

41. In the event of the Director's investigation of the complainant's allegations of sexual harassment, the Director's investigation was not thorough and impartial, and it was not based on the evidence available to it at the time. The Director's investigation was not conducted in a timely manner and it was not completed within the required time frame. The Director's investigation was not conducted in a fair and equitable manner and it was not based on the evidence available to it at the time. The Director's investigation was not thorough and impartial, and it was not based on the evidence available to it at the time. The Director's investigation was not conducted in a timely manner and it was not completed within the required time frame. The Director's investigation was not conducted in a fair and equitable manner and it was not based on the evidence available to it at the time.

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31. The Applicant submitted evidence (including a complaint against 6(s. 7. to ; A82 on - June 2014) and submitted it on 13 July 2014. As evidenced above ; A82 found that the incidents involving 6(s. 7.) described in the Applicant's evidence (documents and observations 5(t* ; A82) occurred prior to 22 February 2013. The Commission has indeed found in the Applicant's evidence (observation 5(t* t* ; A82) investigated on 10 February 2014) and accordingly the fact that the Applicant was issued on 2=D/P on 23 February 2013 and that she received (returned to 50) a telephone. The evidence is no indication that the Applicant had an contact 5(t* 6(s. 7. a te(22 February 2013. A sent an attention on the morning (anted in the D(e(to) ; A82) the T('una\$ cannot put on (m ; A82) as Commission that the Applicant's complaint against 6

34. In the instant case) it has been established that ; A82 (effective the
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30. The same words used in the Applicant's allegations in (es#e&t o d&s&(m\ NATO) (email) made ' " 6 (s. 7. The Applicant memo states that 6 (s. 7. 0Ed&s&ussedF nationalities together 5% of the team members including Russians.1) and also discussed the meaning of Russian words and made

Conclusion

41. In 2015, the Commission found that the T(una) DCC8DC2H

The Commission's (e)ted n ts ent(et".

+Signed.

Judge Te(esa !(a3o

Dated t*s 1<^{t*} da" o August 2016

Conte(ed n t*e Registe(on t*s 1<^{t*} da" o August 2016

+Signed.

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