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Case No. UNDT/GVA/2015/002/R1

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Case No. UNDT/GVA/2015/002/R1 Judgment No. UNDT/2016/112

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9. Formal Process

9.1. An! Pe&sonne# and/o& fo&me& Pe&sonne# ma! f\$#e a %om"#a\$nt of Ea&assment' /e@ua# Ea&assment o& A1use of Aut(o&\$t! 3\$t( t(e D\$&e%to&' D7/.

9.2. /(ou#d t(e D\$&e%to&' D7/' dete&m\$ne t(at t(e matte& ma! a""&o"&\$ate#! 1e dea#t 3\$t( t(&oug( an \$nfo&ma# "&o%ess' (e o& s(e ma! &efe& t(e matte& to t(e D\$&e%to&' DER' fo& an attem"t at t(e \$nfo&ma# &eso#ut\$on of t(e d\$s"ute' "&o0\$ded t(e %om"#a\$nant (as g\$0en (\$s/(e& %onsent to su%( &efe&&#.

9.3. Time limits

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29. T(e T&\$1una# notes t(at t(e A""#\$%ant2s %om"#a\$nt to t(e D7 / f&aud (ot#\$ne on 1? Ju#! 2013 (as no m"a%t on t(e &e%e\$0a1\$#\$t! of (e& %om"#a\$nt aga\$nst 6 &s. C. ,\$&st#!' \$t a""ea&s t(at t(\$s %om"#a\$nt 3 as of a gene&a# natu&e' name#! a1out -some 3 o&< "&o1#ems.' and d\$d not s"e%\$f\$%a##! ment\$on 6 &s. C. /e%ond#!' \$t d\$d not meet t(e &e:u\$&ements of a fo&ma# %om"#a\$nt unde& se%. 9.=.1 of t(e Po#\$%!' 3 (\$% ( &e:u\$&es' inter alia' t(at a fo&ma# %om"#a\$nt 1e made \$n 3 &\$t\$ng to t(e D\$&e%to&' 7 A8/' and state t(e \$dent\$t! of t(e a##eged offende&. T(\$&d#!' t(e &e%e\$0a1\$#\$t! of ea% ( %om"#a\$nt must 1e assessed \$nd\$0\$dua##!. A %om"#a\$nt t(at (as 1een %#osed does not sus"end t(e t\$me #\$m\$t to su1m\$t fu&t(e& fo&ma# %om"#a\$nts.

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35. As to t(e t3o \$n%\$dents \$n0o#0\$ng 6 &s. C.' \$t a""eaks t(at t(e A""#\$%ant &e"&oa%(es 6 &s. C. toF

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36. T(e T&1una# &e%a##s t(at \$n a%%o&dan%e 3\$t( se%. 9.= of t(e Po#\$%!' \$t \$s a staff mem1e&2s &es"ons\$1\$#\$t! to su1stant\$ate a %om"#a\$nt to 7A8/ 3\$t( a so#\$d des%&\$"t\$on of t(e fa%tua# %&&umstan%es' to a##o3 t(e \$n0est\$gato& to (a0e a %#ea&

## Conclusion

39. 8n 0%e3 of t(e fo&ego\$ng' t(e T&\$1una# DCC8DC/F

T(e a" "#\$%at\$on \$s &e>e%ted \$n \$ts ent\$&et !.

)Signed+

Judge Telesa ka0o

Dated t(\$s 19<sup>t(</sup> da! of August 2016

Cntetled n t(e Reg) on  $t(s 19^{t} \text{ da! of August 2016})$ 

)Signed+

RenJ 6. Va&gas 6.' Reg§st&a&' Gene0a