



UNITED NATIONS DISPUTE TRIBUNAL

b. if he concurs with the remand of this case for institution and correction of the procedure under ST/SGB/2008/5.

4. The Respondent replied to these orders on 5 September. He declined to concur with the remand of the case under the provisions of 10.4 of the Statute of the Dispute Tribunal on the grounds that the judgment made a number of determinations on the merits of the Applicant's claims.

5. The Respondent also provided the Tribunal with an update on the progress of the investigation into the Applicant's complaints of prohibited activity.

6. In summary, the Respondent advised that a draft report of the finding panel records the interviews of 31 interviews and will be updated as testimony is received and reviewed. The panel has continued to conduct interviews throughout July and will interview five additional witnesses over the next three weeks. It will issue a draft report to the Director-General of UNON for her to take the action prescribed in section 5.18 of ST/SGB/2008/5 when it has completed its investigations.

Remedies

7. In view of the response from (f)13(r)-8(o)-32(m)10()-69((f)13(r)-8(o)-32(m)10()-69(.88 625.68

- d. To award him damages for the delay.

Respondent's submissions

9. The Respondent submits that the panel is acting diligently to finalize its investigations and that, upon conclusion of the investigation, the panel will prepare a detailed report giving a full account of the facts it has ascertained in the process and attaching documentary evidence relevant to the prohibited conduct.

Considerations

10. In *Asariotis* 2013-UNAT-309, UNAT held that not every breach will give rise to an award of moral damages as a result of a breach of the procedural due process entitlements and that

JUDGMENT

14. No compensations awarded.

(Signed)