Introduction

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2. The 5 es' ondent (#ed https://example.com/es/45 on 21 August 2015.

Facts

- !. The A''#()ant (s a o+me+ 6n o+mat(on and Commun()at(ons Te)&no#og\$.e)u+(t\$ " ()e+ 0P7!3 o UN"P. (n Va#en)(a\ldots .'a(n\ldots &o\ldots a\text{#t&oug& em'#o\$ed unde+ a UN"P.)ont+a)t\ldots o'e+at(ona##\$ * o+, ed o+ t&e Un(ted Nat(ons De'a+tment o+ 8(e\text{#d} . e+/()es.
- 4. 6n ea+#\$ 9 a\$ 2012\| t&e A''\#()ant4s *(e\| 9 s. P.\|)onta)ted Ma chirurgie, a $C\#(n() (n Tun(s\| s'e)(a\#(s(ng (n '\#ast() su+ge+\$\| (nd()at(ng t\&at s\&e *as see,(ng (ng t\&at s\&e *as see,(ng t\&at s\&e *as see,(ng (ng t\&at s\&e *as see,(ng (ng t\&at s\&e *as see,(ng t\&at s\&e *as see$ #('osu)t(on% :oto; to &e+ a)e and)o++e)t(/e a:dom(na# '#ast() su+ge+\$. .&e a#so +e<uested &e#' +ega+d(ng &e+ na/e# *&()& *as st(# see'(ng due to a '+e/(ous a:dom(no'#ast\$. A te+ some e;)&anges *(t& t&e D(+e)to+ o Ma chirurgie\ on 14 9 a\$ 2012 t&e A''#()ant4s *(e (n<u(+ed : \$ ema(# a:out t&e eas(:(#(t\$ o)ondu)t(ng #('osu)t(on on se/e+a# 'a+ts o &e+ :od\$\ stat(ng t&at s&e *anted t+eatment to &e+ a+ms% :a),% &('s% stoma)& and t&(g&s% as *e## as teet& *&(ten(ng and :oto; (n-e)t(ons to &e+ a)e. 6n &e+ ema(# s&e a#so ment(oned t&at s&e &ad t+(ed to get t&e +e'o+t o t&e su+ge+\$ 'e+ o+med ea+#(e+ :\$ anot&e+ C#(n()))Esthetika% : ut t&at t&(s &ad :een unsu))ess u#. 8o##o*(ng u+t&e+ e;)&anges t&e A''#()ant4s *(e *ent to Tun(s on 21 9 a\$ 2012\| and unde+*ent su+ge+\\$ on t&at date. T&e '+o)edu+es s&e unde+*ent (n)#uded t+eatment)ont+a)ted /(a Ma chirurgie and an um:(#()o'#ast\$:\$ a 9 ed()a# Do)to+ +om anot&e+ C#(n()\| El Amen la Marsa.
- 5. A te+ su+ge+\$\% t&e A''#()ant4s *(e sta\$ed o+ t*o n(g&ts at C#(n() El Amen\% (n a s(ng#e +oom\% and ou+ n(g&ts at t&e (/e sta+ Ca+t&age T&a#asso 5 eso+t.

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11. @\$ #ette+ dated 14 9 a+)& 2014 \(\) t&e A'' \(\) () ant *as (n o+med : \(\) t&e D(+e) to +\(\) 6A6G\(\) t&at &e *as)ons(de+ed t&e su:-e)t o an (n/est(gat(on (nto a##egat(ons o med() a# +aud. 6A6G atta)&ed a)o'\(\) o Van:+eda4s +e'o+t\(\) a#ong *(t& t&e

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1?. @\$ ema(# dated 1? 9 a+)& 2015 +om t&e Bega# . 'e)(a#(st\) UN "P.\) t&e A''#()ant *as +e<uested to '+o/(de &(s)omments on t&e 6A6G +e'o+t *(t&(n ten *o+, (ng da\s. "n 24 9 a+)& 2015\) t&e A''#()ant sent &(s)omments.

18. @\$ ema(# o 16 A'+(# 2015% t&e A''#()ant +e)e(/ed a)&a+ge #ette+ dated 15 A'+(# 2015% s(gned on :e&a# o t&e De'ut\$ >;e)ut(/e D(+e)to+% UN"P.% +e<uest(ng t&e A''#()ant to su:m(t)omments. T&e #ette+ a#so noted t&at 'u+suant to 'a+a. 96 o "+gan(Cat(ona# D(+e)t(/e 01" D23 No. !6% t&e A''#()ant &ad a +(g&t to)ounse# to ass(st &(m% and stated t&at an\$ su)&)ounse# *ou#d :e at t&e A''#()ant4s o*n e;'ense.

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20. @\$ #ette+ dated 5 June 2015% s(gned :\$ t&e Bega# .'e)(a#(st% UN"P.% on :e&a# o t&e De'ut\$ >;e)ut(/e D(+e)to+% and de#(/e+ed to t&e A''#()ant on 8 June 2015% t&e A''#()ant *as (n o+med t&at &(s a'

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- 41. 6n Hallal 20127UNAT720? 0'a+a. 283 t&e A''ea#s T+(:una# &e#d t&at (n a s\$stem o adm(n(st+at(on o -ust()e go/e+ned :\$ #a*\ t&e '+esum't(on o (nno)en)e &as to :e +es'e)ted\ and t&at 16)\ Honse<uent#\$\ t&e Adm(n(st+at(on :ea+s t&e :u+den o esta:#(s&(ng t&at t&e a##eged m(s)ondu)t o+ *&()& a d(s)('#(na+\$ measu+e &as :een ta,en aga(nst a sta mem:e+o))u++ed2.
- 42. F (t& +es'e)t to t&e standa+d o '+oo a' '#\$(ng (n d(s)('#(na+\$)ases\ t&e A' 'ea#s T+(:una# &e#d (n (ts Judgment Molari 20117UNAT7164 t&at\)
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&ere the Applicant)s due process rights respected*

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- 44. T&e (n/est(gat(on *as (n(t(ated on t&e :as(s o)on)e+ns +ega+d(ng t&e)#a(m (#ed :\$ t&e A' '#()ant on 25 Ju#\$ 2012\| and a te+ Van:+eda &ad)onta)ted C#(n() EI Amen o:ta(n(ng)on (+mat(on t&at t&e)#(n())ou#d not aut&ent()ate t&e (n/o()e su:m(tted :\$ t&e A' '#()ant 0(n/o()e No. 12008863\| and t&at\| (n t&e(+ /(e*\| (t *as a a,e do)ument. 8u+t&e+\| D+. D.\| t&e su+geon)on)e+ned\| stated :\$ ema(# o

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- 69. The T+(: una# does not (nd that the+e a+e an\$ m(t(gat(ng)(+)umstan)es (n the