



## Introduction

1. The Applicant filed a memorial as a Transmittal (from 12 October to 6 November 2015) contests the determination of the arbitrator of 2015.

2. As remedial steps (requests 5). In default of intervention of the arbitrator (as a result of C/01000 in monetary damages of the stress and injury).

## Facts

3. The Applicant filed a memorial as a Transmittal at the T12V #e, #e 'st! the 3rd of May! Transmittal 4e, 5 languages 4e, \$e 675489 D\$, \$s\$on o Con e(en)e : anagement 67DC : 89 Unsted Nations \* \$e at Geneva, a 67UN\*G89 o (a contended "e(sod o 26 days) s"e\$ \$a##) (om 12 October to 6 November 2015).

4. In 1 November 2015 the (gans; atson de"#o)ed 4e(eta(\$at< ' \$de \$ts ne ' 3nte("(\$se =esou(%e P#ann\$ng 673=P89 s)stem >no ' n as Umo?a. O(om t! \$s date a #a(ge num+e( o t!e \*(gans; atson@s o"e(atsons ' e(e %ondu%ted t!(oug! Umo?a \$n%#ud\$ng t!e admn\$st(atson o "a)(o## and sa#a(\$es.

5. The Applicant -ue(\$ed at t!e +eg\$nn\$ng o !e( %ont(

A. Upon the receipt of the above information, the Tribunal was notified by the United Nations High Commissioner for Human Rights on 27 January 2016 that the Government of the Democratic Republic of Congo had requested the Tribunal to conduct an investigation into the alleged human rights violations committed by the Government of the Democratic Republic of Congo in the area of the Itombwe Mountains in the Democratic Republic of Congo.

The Government of the Democratic Republic of Congo requested the Tribunal to conduct an investigation into the alleged human rights violations committed by the Government of the Democratic Republic of Congo in the area of the Itombwe Mountains in the Democratic Republic of Congo as soon as possible.

D. The Tribunal was notified by the United Nations High Commissioner for Human Rights on 22 January 2016 that the Government of the Democratic Republic of Congo had requested the Tribunal to conduct an investigation into the alleged human rights violations committed by the Government of the Democratic Republic of Congo in the area of the Itombwe Mountains in the Democratic Republic of Congo. The Tribunal was notified by the United Nations High Commissioner for Human Rights on 22 January 2016 that the Government of the Democratic Republic of Congo had requested the Tribunal to conduct an investigation into the alleged human rights violations committed by the Government of the Democratic Republic of Congo in the area of the Itombwe Mountains in the Democratic Republic of Congo as soon as possible.

10. The Tribunal was notified by the United Nations High Commissioner for Human Rights on 22 January 2016 that the Government of the Democratic Republic of Congo had requested the Tribunal to conduct an investigation into the alleged human rights violations committed by the Government of the Democratic Republic of Congo in the area of the Itombwe Mountains in the Democratic Republic of Congo as soon as possible.

11. On 11 October 2016 the Tribunal was notified by the United Nations High Commissioner for Human Rights on 11 October 2016 that the Government of the Democratic Republic of Congo had requested the Tribunal to conduct an investigation into the alleged human rights violations committed by the Government of the Democratic Republic of Congo in the area of the Itombwe Mountains in the Democratic Republic of Congo as soon as possible.

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16. \*n 31 : a(% ! 2016& t!e A""#%ant (e%e\$,ed t!e "a)ment o sa#a() %o((es"ond\$ng to t!e t!(ee ' ee>s s!e !ad ' o(>ed \$n \*%to+e( 2015.

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Case No.

UNDT/GVA/2016/035

Case No. UNDT/GVA/2016/035

Judgment No. UNDT/2017/043

## Consideration

### Alleged irreceivability and mootness of the application

23. The respondent asserts that no decision was made not to file a "substantive" objection to the respondent's application for a writ of habeas corpus. Instead, the respondent's application was dismissed. The respondent also states that the UN Human Rights Committee suggests that the respondent's application is inadmissible, either because it is not a "substantive" application or because it is not a "substantive" application.

24. The respondent's argument is based on the fact that the respondent's application for a writ of habeas corpus amounts to a decision in Tabari 2010 UNAT1030, Nwuke 2010 UNAT10DD, Christensen 2012 UNAT121A9, and others, which states that the respondent's application is inadmissible because it is not a "substantive" application. The respondent also states that the respondent's application for a writ of habeas corpus is inadmissible because it is not a "substantive" application. The respondent also states that the respondent's application for a writ of habeas corpus is inadmissible because it is not a "substantive" application.

25.



do so? In the context of the "Contractor's" (Article 1, paragraph 1 of the  
Administrative Procedure Code) to the.

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Compensation for delay in payment of salary

30. It is understood that at the end of the period (2015 onwards) as a result of the settlement in late 2016. The matter of the Tribunal to determine does not relate to the delay in the settlement of the claim.

31. The respondent contends that no provision was made in the settlement to compensate for the delay in the settlement of the claim. In fact, no such provision was made. The Tribunal may grant compensation under



37. The Tribunal's findings are consistent with the standard taken in the Tribunal's previous decisions, such as those concerning the determination of the amount of the award of interest. The Tribunal's findings in the present case are consistent with those in the award of interest in the case of *Massi* (UNDT/2016/100) and *Johnson* (UNDT/2011/144) and *Nota* (UNDT/2017/0139). The Tribunal's findings in the present case are consistent with those in the award of interest in the case of *Massi* (UNDT/2016/100).

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unsubstantiated, and the fact that the respondent's conduct was not in compliance with the applicable law does not mean that the respondent's conduct was not in compliance with the applicable law. The fact that the respondent's conduct was not in compliance with the applicable law does not mean that the respondent's conduct was not in compliance with the applicable law.

40. The fact that the respondent's conduct was not in compliance with the applicable law does not mean that the respondent's conduct was not in compliance with the applicable law. The fact that the respondent's conduct was not in compliance with the applicable law does not mean that the respondent's conduct was not in compliance with the applicable law.

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