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 !"#g\$e%& No.
 UNDT/201'/097

Intro#u"tion

9. As -e @as a,so @o*D+%g o% a 5a*& &+ \$e)as+s a& &-e ICC #"*+%g &-a& 5e*+o#6 &-e
A55,+(a%& @as (o \$ 5e%sa&e# EUR16 . 7 5e* \$ o%&-)7 &-e ICC +% a((o*#a%(e @+&-5a*a. 9 of &-e Co%#+&+o%s of se*.+(e a%# (o \$ 5e%sa&+o% of &-e :"#ges of &-e ICC ;ICC2ASP/2/10>.

10. 3*0\$ 1 0 a7 201 0%@a*#s a%# "50% *eC"es& f*0\$ &-e P*es+#e%& of &-e ICC6
&-e A55,+(a%&)e(a\$e a f",,2&+\$e :"#ge a& &-e ICC6 a%# &-"s s&a*&e# &o *e(e+.e -+s f",, sa,a*7.

11. T-e A55,+(a%& %e.e*&-e,ess *e \$a+%e# a \$e\$)e* of &-e Hadži &*+a,)e%(- a& &-e ICT1 "%&+, 22 !",7 201 6 #a&e a& @-+(- &-e &*+a, 5-ase off+(+a,,7 (o%(,"#e# fo,,o@+%g &-e #ea&- of &-e a(("se#. D"*+%g &-a& 5e*+o#6 &-e A55,+(a%& (o%&+%"e# &o 5e*fo*\$ -+s &asDs s"(- as *e.+e@+%g *e5o*&s f*o\$ &-e \$e#+(a, off+(e*s6 *e.+e@+%g &-e a(("se#&s 5*o.+s+o%a, *e,ease6 5*o(ess+%g 5a*&+es8 s"))\$+ss+o%s6 5a*&+(+5a&+%g +% &-e #a+,7,+fe of &-e T*+)"%a, a%# a&&e%#+%g 5,e%a*7 sess+o%s. T-e A55,+(a%& #+# %o& *e(e+.e a%7 (o\$5e%sa&+o% f*o\$ &-e ICT1 fo* &-e 5e*+o#) e&@ee% 1 0 a7 201 a%# 22 !",7 201 .

12. B7 \$e\$o*a%#"\$ of 1' !",7 201 a##*esse# &o &-e Reg+s&*a*6 ICT16 &-e A55,+(a%& e%C"+*e# a)o"& .a*+o"s \$a&&e*s *ega*#+%g -+s a# \$+%+s&*a&+.e s+&"a&+o% a%# *eC"es&e# (o\$5e%sa&+o% fo* &-e @o*D -e -a#)ee% 5e*fo* \$+%g f*o\$ 1 0 a7 &-*o"g-

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(. 30,,0@+%g &-e Res50%#e%&&s fo* \$a,+s&+(a55*oa(- @o",# ,ea.e &-e
ICT 1 : "#ges @+&- %o ,ega, a.e% "es &o e%fo*(e &-e+* *+g-&sH I% a s+ \$+,a*
s+& "a&+o% +%.o,.+%g a% a55,+(a&+o%)7 : "#ges of &-e ICC6 &-e I%&e*%a&+o%a,
La)o"* O*ga%+sa&+o% A# \$+%+s&*a&+.e T*+) "%a, ;<ILOAT=> asse*&e#
: "*+s#+(&+o% &o a.o+# &-a& &-e : "#ges)e ,ef& @+&-o"& a%7 : "#+(+a, *e(o"*se ;see
ILOAT ! "#g \$e%& No. AAB9>H

On the merits

#. T-e A55,+(a%& -as %o&)ee% (o\$5e%sa&e# fo* &-e @o*D -e 5e*fo*\$e# as
a 5a*&2&+\$e :"#ge a& &-e ICT1 fo* &-e 5e*+o#)e&@ee% 1 0 a7 2017 a%#
22 !",7 2017H a%#

e. E.e% &-o"g- -+s $5a^{*}$ (", a^{*} s+& "a&+o% +s %o& s5e(+f+

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(. T-e A55,+(a%&8s *e,+a%(e o% &-e ILOAT (ase +s $+s5,a(e# as \&-a\& T^{*+})$ "%a, -e,# &-a& +& -a# :"*+s#+(&+o% &o -ea* a (ase)*o"g-&)7 :"#ges of &-e ICC)ase# o% a*&. II ;B> of +&s S&a&"&e6 @-+(-g+.e

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2B. 1% &-e (ase at -a%#6 &-e A55,+(a%k +s a fo* \$e* ad litem :"#ge of &-e ICT1. 4e @as e,e(ke#)7 &-e Ge%e*a, Asse\$),7 5"*s"a%k to a*k. 1A ter of &-e ICT1 Stak"ke a%# s-a,,)e +%#e5e%#e%k ;see a*k. 12 of &-e ICT1 Stak"ke>. 4+s (o%#+&+o%s of se*.+(e s-a,,)e &-ose of &-e :"#ges of &-e IC! a%# &-"s)e f+Ge#)7 &-e Ge%e*a, Asse\$),7 ;see a*k. 1A bis a%# 1A quater of &-e ICT1 Stak"ke a%# a*k. A2 of &-e Stak"e of &-e IC!>. U%,+De staff \$e\$)e*s6 &-e A55,+(a%k @as %ok a55o+%ke#)7 &-e Se(*eka*72Ge%e*a, a%# -e +s %ok s"):e(& ko -+s a"&-o*+k7. 4+s (o%#+&+o%s of se*.+(e a*e %ok sek)7 &-e *eg",a&+o%s a#o5ke#)7 &-e Ge%e*a, Asse\$),7 a55,+(a),e &o staff \$e\$)e*s. T-e A55,+(a%t6 as a% ad litem :"#ge of &-e ICT16 +s (o%s+#e*e# &o)e a <%o%2Se(*eka*+ak U%+ke# Na&+o%s off+(+a,= ;see6 e.g.6 Ge%e*a, Asse\$),7 *eso,"&+o% 1/2 2 of 9 A5*+, 2007>.

2 . It fo,,o@st-att-e A55,+(a%t (a%%otts,21(t))11

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A9. As & -e A55, +(a%& # oes % o& fa,, "% # e* a%7 of & -e (a& ego*+es of 5oke%& +a, a55, +(a%& # es(*+)e# +% a*& A.1 of & -e D+s5"& T*+) "%a, 8s S& a& "& e6 -e -as % o, ega, s& a% # +%g) efo*e & -+s T*+) "%a,.

AB. It fo,, o@s t-at t-e a55, +(at+o% + s% ot *e(e+.a), e ratione personae.

Con" usion

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;\$igned> !"#ge Te*esa B*a.o Da&e# &-+s 2^{%#} #a7 of O(&o)e* 201 '

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