Introduction

- 1. "n 16 Ju#\$ 2015% t&e A''#()ant% *&o *o+,ed o+ t&e Un(ted Nat(ons " ()e o+ P+o-e)t .e+/()es 01UN "P.23% (#ed an a''#()at(on)ontest(ng t&e te+m(nat(on o &(s em'#o\$ment *(t& one mont&4s)om'ensat(on (n #(eu o not()e.
- 2. The 5 es' ondent (#ed https://example.com/es/45 on 21 August 2015.

Facts

- !. T&e 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\ldot\ a#t&oug\ldots em'#o\$ed unde+ a UN"P.)ont+a)t\ldots o'e+at(ona##\$ *o+,ed o+ t\ldots Un(ted Nat(ons De'a+tment o+ 8(e\pm d . e+/()es.
- 4. 6n ea+#\$ 9 a\$ 2012\| t&e A''#()ant4s *(e\| 9 s. P.\|)onta)ted а #('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 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()))" : 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 and an um:(#()o'#ast\$: \$ a 9 ed()a# Do)to+ +om anot&e+ C#(n()#
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- 41. 6n 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 20117UNAT7164 t&at\)
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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() 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