## I tro\$u#tio

- 1. B) O !e No. 79 #GVA/2020\$ of 2: &'+e 20205 %, e T \*4'+a( es' 7 e!; o8ee!\*+gs \*+ %,\*s 8ase a+! o !e e! f\*(\*+gs f o 7 %, e; a %\*es <\*%, es; e8% %o %, e A;;(\*8a+%=s 7 o%\*o+ %o 4e a!!e! as ColCo'+se( a+! %, e elo; e+\*+g of %, e, ea \*+g o+ %, e 7 e \*%s.
- 2. I+ es; o+se %o %, e a4o-e O !e 5 %, e ;a %\*es f\*(e! s'47\*ss\*o+s o+ 1 a+! 9 &'() 2020.

## Co si\$eratio

- 9. 3a-\*+ge>a7\*+e! %, e; a %\*es=s'47\*ss\*o+s5%, eT \*4'+a(, as %o!e8\*!eo+%, e fo((o<\*+g 7 a\*\*%e s:
  - a. ?,e%,e %,e,ea \*+g o+ %,e 7e \*%s s,o'(! 4e elo;e+e! a+!5 %,'s5 \*f f' %,e <\*%+esses s,o'(! 4e 8a((e! %o %es%\*f) a+!/o %,e Res;o+!e+% s,o'(! 4e o !e e! %o; o!'8e a!!\*%\*o+a(e-\*!e+8e@
  - 4. ?, e%, e &'!ge Ro<a+ Do<+\*+g #fo 7e UNDT &'!ge\$ s,o'(! 4e 8a((e! %o %es%\*f) \*+ e(a%\*o+ %o %, e A;;(\*8a+%=s a((ega%\*o+ of 4 ea8, of ,e fa\* % \*a( \*g, %s@ a+!
  - 8. T, e A; ; (\*8a+%=s 27 / a) 2020 7 o\% o+ \% o 4e a!!e! as ColCo'+se(.

## Re-opening of the hearing on the merits

- :. I+ ,e 9 &'() 2020 s' 47 \*ss\*o +5 %, e A;; (\*8a+% o4Ae8%s %o %, e eo; e+\*+g of %, e ,ea \*+g a+! a g'es %, e fo((o<\*+g:
  - a. S,e !oes +o% see %,e +ee! fo a elo;e+\*+g of %,e ,ea \*+g as Bs'ff\*8\*e+%  $e^{-*}!e^{+}8e^{-}$ , as 4ee+ ,ea ! fo a '(\*+g %o 4e 7a!e@
  - 4. S,e !oes +o% a88e;% a Bde novoC e-\*e< of ,e 8o 7; (a\*+% as %,e \*ss 'e 4efo e %,e T \*4 '+a(20

- 8. S,e, as 8(ea () se% o'% %, e 4as\*s of ,e a;;(\*8a%\*o+ \*+ ;a as. 21D of ,e a;;(\*8a%\*o+5 a+! s,e <a+%s %,e T \*4'+a( %o e 7 a+! %,e 7 a\*%e fo \*+-es%\*ga%\*o+ 4ase! o+ %,e fo((o<\*+g a((ege! fa\*('es:
  - \*. Co+f(\*8% of \*+% es% of o+e ;a+e( 7e74e @

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- 8. Re-e sa( of ,e 4(a8E(\*s\\*+g a+! \line 4e affo !e! fa\* 8o+s\*!e a\\*o+ fo ;os\set
- !. 3a(%+g%,e) = %a(\*a%\*o+aga\*+s%,e) + o%a4() 4) = +e < \*+g,e) = f\*>e!1%e 7 8o+% a8% '+!e %,e sa 7e 8o+!\*%\*o+s as a;;() %o o%,e s%aff of O3C3R, o(!\*+g f\*>e!1%e 7 8o+% a8%5 \*.e.5 e+e < a( fo f\*-e) = as \*+ &a+'a) 201"54ase! o+B7 = 6%\*+g = (\*e) + \*e < (\*e
- e. A +e< \*+-es\\*ga\\*o+ of ,e 8o7;(a\*+\\* of ,a ass7e+\\* 4) a ge+'\*+e() 
  \*+!e;e+!e+\\*;a+e(f ee of 8o+f(\*8\\*s of \*+\\*e es\@ a+!
- f. Co7; e+sa%o+ fo 7 o a( !a7ages5 \*+8('!\*+g s\*g+\*f\*8a+%, ea(%, \*7; a8%s5 a+! fo %, e \*7; a8% of , e 4(a8E(\*s)\*+g o+ , e 8a ee !e-e(o; 7e+%a+!8, a+8es of; o 7 o)\*o+.
- D. Bea \*+g %, \*s \*+ 7 \*+!5 %, e T \*4 '+a( !oes +o% see \*%; oss\*4(e %o !e8\*!e o+ %, e

"2. T,e s8o;e of \( \),e \( \)!\*8\*a(\( \) e-\*e< \( \) +, a ass 7 e+\( \) a+! a4'se of a'\( \),o \( \)\( \)\( \) 8ases \( \)\*s \( \), 's \( \) 8he! \( \) No \( \),o \( \),e \( \)A! 7\*+\*s\( \) a\( \)\*o+!e! \( \) No \( \),e \( \)8o 7; (a\*+\( \)\* + G'es\( \)\*o+ #Luvai 201: lUNAT1: 175; a a. F:\( \)\$. T,e T \( \)\*4'+a(\( 7'\)\$\( \)\*fo8's o+ <,e\( \),e \( \),o'\( \),s \( \) as se\( \) o'\( \); \( \)\*7 a \( \)() \*+ ST/SGB/200"/5. T,e s8o;e of \( \),e \( \)\*' 1\*8\*a(\( \) e-\*e< so o'\( \)'\*+e! \( \)\*s s';; \( \) Ne! \( \) \( \),e \( < \) 0!\*+g of se8. 5.20 of ST/SGB/200"/5 #e7;,as\*s a!!e!\$:

?,ee a+ agg \*e-e! \*+!\*-\*!'a( o a((ege! offe+!e ,as g o'+!s %o 4e(\*e-e %,a% %,e procedure followed in respect of the allegations of prohibited conduct was improper5, e o s,e 7a) a;;ea(;'s'a+% %o 8,a;%e HI of %,e S%aff R'(es.

- "9. Befo e 80 7 7 e+8\*+g \, \*s e>e 8\*se5 \, e T \*4'+a( 7 's\ e8a((\, a\ \*s +o\ -es\ e! <\*\, \, e a'\, o\*\) \ \ 6 80+!'8\ a f es, \*+-es\ \*g\ \*o+ o+ \, e\*+\ \*sa(\, a ass 7 e+\ a((ega\ \*o+s #Messinger 2011\)1UNAT\11295 \ Luvai \ 201:\1UNAT\1:17\\$. As fo a+\ !\*s8 e\ \*o+a \) !e8\*s\*o+ of \, e O ga+\*Ia\ \*o+5 \*\ \*s +o\ \, e T \*4'+a(=s o(e\ \*o s'\ 4s\ \*\ '\ \*e \*\ \*s o<+ \ A' !g7 e+\ fo \, a\ of \, e Se8 e\ a\) \ 1Ge+e a(#see5 e.g.5 Sanwidi 2010\)1UNAT\10":\\$. 3o<e-e 5 \, e T \*4'+a(7a) ! a< \*\ \*s o<+ 8o+8('s\ \*o+s f o 7 \, e e-\*!e+8e 8o((e8\ \*e! 4) \, e fa8\ 1f\ \*+!\ \*+g ; a+e( #Mashhour 201:\)1UNAT\1:"9\ Dawas 201F\]1UNAT\1F\125; a a. 2:\\$.
- ":. I+ -\*e< of \( \), e fo ego\*+g5 \( \), e T \*4'+a( <\*(( f\* s\) e>a 7 \*+e \), e a((ege!; o8e!' a( e o s \*+ \), e a; ; o\*+\) 7 e+\) of \( \), e ; a+e( a+! \), e 8o+!'8\) of \*\( \)s \*+-es\( \)\*ga\( \)\*o+5 4efo e \( \)' +\*+g \( \)o e>a 7 \*+e \( \), e a((ege! e o s \*+ \), e 7 aE\*+g of \( \), e 8o+\( \)es\( \)es\( \)\*s\*o+ \*\( \)se(f.

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D5. No%<\*%, s%a+!\*+g %, e a4o-e f\*+!\*+g \*% \*s +e8essa ) a+! a;; o; \*a%e \*+ %, \*s 8ase %o !e%e 7\*+e a(( 7 a%%e s a!-a+8e! 4) %, e A;;(\*8a+%.

10.

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12. 3a-\*+g sa\*! %,\*s5 %,e T \*4'+a( !oes +o% \*+%e+! %o \*7; ose o+ %,e ;a %\*es a ,ea \*+g %,e) !o +o% <\*s, %o a%%e+!. T,e T \*4'+a( <\*(( %,e efo e a!A' !\*8a%e %,e 8ase

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\*-. T, e a((ege! fa\*(' e %o asE e(e-a+% G'es%\*o+s %o <\*%+esses.

#Signed\$ &'!ge Te esa B a-o
Da\le! \(\daggeredarrow\), \(\daggeredarrow\) 2020

E+%e e! \*+ %,e Reg\*s%e o+ %,\*s  $27^{\text{N}}$ . !a) of &'() 2020 #Signed\$ Re+. / . Va gas / .5 Reg\*s% a 5 Ge+e-a