

# UNDT/2014/117, Ivanov

## UNAT Held or UNDT Pronouncements

The Tribunal found that the USG/DESA complied with ST/SGB/2008/5 by closing the case and providing the Applicant with a summary of the Investigation Panel's findings and conclusions. However the applicable mandatory time limits for assessing the complaint, appointing the panel and submitting the final investigation report were not respected. The Applicant is awarded a compensation in the total amount of USD2,300. The Tribunal found that there was no evidence that the Investigation Panel did not gather sufficient evidence or erred in reaching its findings and conclusions presented in the report and the USG/DESA. The Tribunal concluded that the Applicant's due process rights to have his complaint promptly reviewed and assessed by the responsible official, for an investigation panel to be promptly appointed by the same responsible official after receiving his complaint on harassment, and for the report to be finalized within three months from the submission of the complaint, were violated. The Tribunal therefore partially granted the Applicant's request for compensation.

## Decision Contested or Judgment/Order Appealed

The Applicant contests the decision to take no action on his complaint for defamation and harassment, including not providing him with a copy of the full investigation report.

## Legal Principle(s)

N/A

## Outcome

Judgment entered for Applicant in full or in part

Outcome Extra Text

Only financial compensation

Full judgment

[Full judgment](#)

Applicants/Appellants

Ivanov

Entity

DESA

Case Number(s)

UNDT/NY/2013/29

Tribunal

UNDT

Registry

New York

Date of Judgement

25 Sep 2014

Duty Judge

Judge Greceanu

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Due process

Delay

Ethics office

Investigation

Applicable Law

Administrative Instructions

- ST/AI/292
- ST/AI/371

Secretary-General's bulletins

- ST/SGB/2008/5

Related Judgments and Orders

UNDT/2010/205

UNDT/2012/201

2011-UNAT-123

2012-UNAT-204