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**OFFICE OF INTERNAL OVERSIGHT SERVICES
INVESTIGATIONS DIVISION**

*This Report is protected by paragraph 18 of
ST/SGB/273 of 7 September 1994*

INVESTIGATION REPORT ON ALLEGED ASSAULT AGAINST

REDACTED REPORT

ID Case No. 0525-07

01 APRIL 2008

STRICTLY CONFIDENTIAL

This Investigation Report of the Investigations Division of the United Nations Office of Internal Oversight Services is provided upon your request pursuant to paragraph 1(c) of General Assembly resolution A/RES/59/272. The report has been redacted in part pursuant to paragraph 2 of this resolution to protect confidentiality and sensitive information. OIOS's transmission of this Report does not constitute its publication. OIOS does not bear any responsibility for any further dissemination of the Report.



[REDACTED]

TO: [REDACTED]

[REDACTED]

[REDACTED]

Investigation report on alleged assault against [REDACTED]

1. On [REDACTED], the Investigations Division of the Office of Internal Oversight Services (ID/OIOS) received, from [REDACTED] an allegation that [REDACTED] assaulted [REDACTED], a [REDACTED]

2. Specifically, it was alleged that, during [REDACTED] on [REDACTED] at [REDACTED] [REDACTED] allegedly held and violently shook [REDACTED] by [REDACTED] verbally threatened to destroy [REDACTED] and demanded that [REDACTED] kneel and beg for forgiveness. It was further alleged that [REDACTED] was meddling in the affairs of [REDACTED] and supporting [REDACTED] to the detriment of another [REDACTED]

3. ID/OIOS conducted an investigation into the allegations, which included the interview of [REDACTED] and the alleged subject, [REDACTED], the review and analysis of relevant documents and an examination of the scene of the alleged incident.

4. ID/OIOS has concluded its investigation and provides the following investigative details.

Interview with [REDACTED]

5. According to [REDACTED] during the course of the [REDACTED] [REDACTED] who did not return the greeting but instead, using both hands, held [REDACTED] and pulled the latter towards [REDACTED]. Thinking that [REDACTED] wanted [REDACTED] out of the way to the [REDACTED] [REDACTED] willingly moved to the [REDACTED] with [REDACTED] [REDACTED] stated that [REDACTED] continued to hold onto [REDACTED] and shook [REDACTED] and told [REDACTED] that [REDACTED] hated [REDACTED] and would destroy [REDACTED] and that [REDACTED] would never get any support from [REDACTED], unless [REDACTED] knelt and begged [REDACTED] for forgiveness. When [REDACTED] completed being [REDACTED] released [REDACTED] from [REDACTED] but held [REDACTED] by [REDACTED] and led [REDACTED] towards the [REDACTED]. Eventually, they stopped in front of [REDACTED] and [REDACTED] pointed at [REDACTED] and echoed [REDACTED] threats on the [REDACTED], adding [REDACTED] —was from [REDACTED].

6. [redacted] further stated that, during the alleged encounter of [redacted] did not react to [redacted] actions because [redacted] was embarrassed and did not want people present to know what was happening. However, during the encounter in front of [redacted] accused [redacted] of supporting a [redacted] in the on-going [redacted]. As [redacted] continued to shout, [redacted] reminded [redacted] that people were watching them; [redacted] then allegedly beckoned and invited everyone to [redacted] [redacted] then told [redacted] to say whatever [redacted] had to say in the presence of those present, but [redacted] responded that [redacted] had nothing to say and eventually [redacted] left the scene.

7. [redacted] ID/OIOS that [redacted] believed that the assault emanated from a previous grievance concerning the on-g [redacted] in [redacted] in a memorandum did not recognize [redacted] as [redacted]. In turn, [redacted] complained to the [redacted]

Interview with [redacted]

8. [redacted] confirmed that [redacted] attended the [redacted], during the course of which [redacted] approached [redacted] to [redacted], but [redacted] refused to accept the greeting. [redacted] stated that [redacted] refusal was due to [redacted] hypocrisy towards [redacted]. [redacted] since [redacted] [redacted] stated that [redacted] had allegedly lied about [redacted] and maligned [redacted] behind [redacted] back whilst at the same time pretending to be [redacted] friend. Moreover, that [redacted] had allegedly complained to the [redacted] that [redacted] was interfering in [redacted] internal crisis; that [redacted] was supporting a [redacted]; and that [redacted] had requested an investigation of an allegation of misappropriation against [redacted]. [redacted] stated that [redacted] was tired of putting up with the hypocrisy and decided to release [redacted] by speaking [redacted] mind. [redacted] stated that when [redacted] tried to exchange pleasantries with [redacted], the latter invited [redacted] to the [redacted] to talk. According to [redacted] was all smiles and willingly followed [redacted]

9. [redacted] stated to ID/OIOS that, at this time [redacted] told [redacted] that *"until such a time that you go on your knees and beg for my forgiveness for the lies you have told against me, we are not friends. We do not have a social or personal relationship but we have a professional relationship."* [redacted] added that [redacted] was angered by this comment and complained that [redacted] was trying to ruin [redacted] and did not want [redacted] to be [redacted]. [redacted] then allegedly vowed to ruin [redacted] reputation with the help of the [redacted].

10. As the exchange became more heated [redacted] and the [redacted] requested an unidentified [redacted] to witness the conversation, but [redacted] refused to continue talking. Subsequently, [redacted] returned to the [redacted] [redacted] denied assaulting and/or having any bodily contact with [redacted] at the [redacted] [redacted] did not discuss the issue with anyone at [redacted] or thereafter and learned of [redacted] complaint the following day.

Interview with witnesses

11. ID/OIOS established that [redacted] where the alleged incident took place, was well attended by [redacted]. However, most of them had no knowledge of such incident, or only became aware of the alleged assault at a later stage. Only [redacted] witnesses purported having

witnessed the exchange between [REDACTED] and of [REDACTED] allegedly [REDACTED]. However, ID/OIOS found significant inconsistencies in their evidence.

12. ID/OIOS found that the assault allegation was widely discussed in [REDACTED]. In this regard, ID/OIOS notes that an extraordinary [REDACTED] was convened on [REDACTED], during which [REDACTED] described the alleged assault and linked its circumstances with [REDACTED]. [REDACTED] alleged meddling in the affairs of [REDACTED]. The [REDACTED], which included a detailed description by [REDACTED] of the alleged assault, were subsequently [REDACTED] to members of [REDACTED]. This action, may well have contributed to unreliable hearsay stories.

Findings & Conclusion

13. ID/OIOS found that:

- (a) The alleged assault stemmed from an existing strained relationship between [REDACTED], which was the result of: a) reported misappropriation of [REDACTED] by the [REDACTED] headed by [REDACTED]—a matter currently under investigation by ID/OIOS; b) [REDACTED] subsequent complaint to the [REDACTED] regarding [REDACTED] and [REDACTED] alleged interference in the [REDACTED] issues; and c) [REDACTED] alleged support of a [REDACTED] against another [REDACTED];
- (b) A heated verbal exchange occurred at the function of [REDACTED] between [REDACTED], which both parties concede was in some way related to [REDACTED] internal issues, though each has a different view on the matter: [REDACTED] alleges that [REDACTED] complaints against [REDACTED] alleged interference in the affairs of [REDACTED] caused [REDACTED] embarrassment, hence [REDACTED] anger against [REDACTED] precipitating the alleged assault. In contrast, [REDACTED] alleged that [REDACTED] had lied about [REDACTED] and maligned [REDACTED] since [REDACTED] whilst, at the same time, purporting to be [REDACTED] friend. Though [REDACTED] conceded being upset with [REDACTED] and exchanging words with [REDACTED] at the function, [REDACTED] denied assaulting [REDACTED]; and
- (c) Despite the presence of numero [REDACTED] at the [REDACTED], only [REDACTED] witnesses purported seeing [REDACTED] assaulting [REDACTED] by [REDACTED] the latter by [REDACTED]. However, the inconsistencies in their accounts are such that their evidence cannot be relied upon to support the allegation.

14. ID/OIOS concludes that:

- (a) There is insufficient evidence to support the allegation of assault against [REDACTED]; accordingly, the assault allegation against [REDACTED] is unsubstantiated;
- (b) Based on [REDACTED] own admission, engaging in a heated argument with a subordinate staff member in a public place and in the presence of numerous [REDACTED] to be inappropriate, particularly given [REDACTED] seniority; and

- (c) [REDACTED] conduct by discussing the allegations against [REDACTED] at the extraordinary [REDACTED] meeting and then widely disseminating [REDACTED] to have been inappropriate and complicating the investigation.

Recommendations

15. In light of the findings of the investigation, ID/OIOS recommends that:
- (a) The [REDACTED] [REDACTED]) inform [REDACTED] of the outcome of the investigation, including [REDACTED] inappropriate conduct in publicly discussing [REDACTED] complaint against [REDACTED]
- (b) [REDACTED] informs [REDACTED] of the outcome of the investigation and that [REDACTED]. [REDACTED] be reminded of the standard of conduct required of an international civil servant, particularly the standard of conduct required by a person of [REDACTED] seniority. [REDACTED]
16. A response to this report, by [REDACTED] [REDACTED], would be greatly appreciated. Should you have any questions or comments, please do not hesitate to contact me at [REDACTED]
17. Thank you and best regards.
- cc. [REDACTED]

