



United Nations

Nations Unies

**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 ABUSE OF AUTHORITY,  
PROVIDING INFORMATION TO THE MEDIA, AND  
ENGAGEMENT IN OUTSIDE ACTIVITY BY [REDACTED]**

**REDACTED REPORT**

**ID Case No. 0470-07**

**9 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.

## TABLE OF CONTENTS

I.	INTRODUCTION .....	1
II.	APPLICABLE LAW .....	1
A.	STAFF REGULATIONS OF [REDACTED] .....	1
III.	METHODOLOGY .....	2
IV.	BACKGROUND .....	2
V.	INVESTIGATIVE DETAILS.....	2
A.	ID/OIOS INTERVIEW OF [REDACTED] .....	2
B.	ID/OIOS INTERVIEW OF [REDACTED] .....	4
C.	ID/OIOS INTERVIEWS WITH [REDACTED] .....	4
D.	ID/OIOS INTERVIEWS WITH [REDACTED] .....	4
E.	ID/OIOS INTERVIEW WITH [REDACTED] .....	5
F.	ID/OIOS ISSUES WITH THE EVIDENCE OF [REDACTED] .....	6
G.	ID/OIOS INTERVIEW WITH [REDACTED] .....	7
H.	MISBEHAVIOUR [REDACTED] .....	7
I.	ID/OIOS INTERVIEWS WITH [REDACTED] .....	7
J.	ID/OIOS INSPECTION OF PHONE AND E-MAIL RECORDS .....	8
K.	ID/OIOS INTERVIEW [REDACTED] .....	8
L.	[REDACTED]S ENGAGEMENT IN OUTSIDE OCCUPATIONS.....	8
M.	ID/OIOS INTERVIEW [REDACTED] .....	8
VI.	FINDINGS AND CONCLUSIONS .....	9
a.	Regarding [REDACTED] .....	9
b.	Regarding [REDACTED] .....	9
c.	Regarding [REDACTED] .....	10
d.	General Findings .....	10
VII.	RECOMMENDATIONS.....	10
VIII.	ANNEX - APPLICABLE STAFF REGULATIONS AND RULES OF [REDACTED] .....	11

## I. INTRODUCTION

1. O [REDACTED] the [REDACTED] [REDACTED] reported to the Investigations Division of the Office of Internal Oversight Services (ID/OIOS) possible misconduct by [REDACTED] the [REDACTED].

2. Specifically, it was reported that on [REDACTED]: a) abused [REDACTED] authority by removing [REDACTED] a [REDACTED] [REDACTED] from a [REDACTED] without authority or reason; and b) provided information to a [REDACTED] that [REDACTED] was involved in a sexual relationship with [REDACTED] working at [REDACTED].

3. An allegation that [REDACTED], has also distributed information to [REDACTED] was unsubstantiated.

4. During the course of the investigation, possible misconduct by [REDACTED] [REDACTED], was identified and investigated by ID/OIOS. It was found that [REDACTED] has engaged in [REDACTED] outside occupations without the approval of [REDACTED]. In addition, that [REDACTED] and [REDACTED] business may benefit by reason of [REDACTED].

5. The details of the investigation are outlined below.

## II. APPLICABLE LAW

### A. STAFF REGULATIONS OF [REDACTED]

#### 6. Staff Regulation 1.2

(m) "Staff members shall not be actively associated with the management of, or hold financial interest in, any profit making, business or other concern, if it were possible for the staff member or the profit-making, business or concern to benefit from such association of financial interest by reason of his or her position with [REDACTED]."

(n) "Staff members shall not engage in any outside occupation or employment, whether remunerated or not, without the approval of [REDACTED]."

#### 7. Staff Rule 301.3

##### General

(b) "Staff members shall follow the directions and instructions properly issued by the Registrar and their supervisors."

##### Specific instances of prohibited conduct

##### Conflict of interest

(o) "A staff member who has occasion to deal, in his or her official capacity, with any matter involving a profit-making business or other concern in which he or she holds a financial interest, directly or indirectly, shall disclose the measure

of that interest to the [REDACTED] and, except as otherwise authorized by the [REDACTED], either dispose of that financial interest or formally excuse himself or herself from participating with regard to any involvement in that matter which gives rise to the conflict of interest situation."

8. A more complete list of the [REDACTED] considered by ID/OIOS during its investigation for possible violations are attached [REDACTED].

### III. METHODOLOGY

9. ID/OIOS conducted an investigation into the allegations, which included [REDACTED] interviews with [REDACTED], specifically [REDACTED], [REDACTED].

10. In addition, ID/OIOS reviewed and analysed relevant documents, including [REDACTED] formal complaints and responses thereto by [REDACTED], phone records, e-mail accounts, and other official [REDACTED] documents.

11. ID/OIOS conducted numerous enquiries to identify individuals who had access to the [REDACTED]. These enquiries included a full review of all security documents pertaining to entry and exit from the [REDACTED] and of [REDACTED].

12. Due [REDACTED], some avenues of enquiry were not available to investigators.

### IV. BACKGROUND

13. [REDACTED] are those who bear the greatest responsibility for serious violations of [REDACTED] committed in the [REDACTED]. The [REDACTED] is located in [REDACTED], but also has operations at [REDACTED] [REDACTED] is currently ongoing.

14. [REDACTED] consists of the following [REDACTED], comprising one or more [REDACTED]; and c) [REDACTED].

15. [REDACTED] is the [REDACTED] and reports to [REDACTED]. [REDACTED] is the [REDACTED] reporting to the [REDACTED]. [REDACTED] also reporting to the [REDACTED].

### V. INVESTIGATIVE DETAILS

#### A. ID/OIOS INTERVIEW [REDACTED]

16. On [REDACTED] ID/OIOS interviewed [REDACTED] is one of [REDACTED] complainants who filed a complaint with the [REDACTED] against [REDACTED], which complaint forms the subject of this investigation. [REDACTED] ID/OIOS investigators with documents, including a chronology of events, [REDACTED] complaints with annexes, and a signed statement by [REDACTED], the [REDACTED].



21. [REDACTED] ed this as cogent evidence that [REDACTED] was the person who provided the information to [REDACTED] and that, by doing so, [REDACTED] has committed serious professional misconduct.

**B. ID/OIOS INTERVIEW OF [REDACTED]**

22. On [REDACTED] [REDACTED] w with ID/OIOS [REDACTED], who filed a similar complaint as that of [REDACTED] against [REDACTED], stated that when [REDACTED] learned about the [REDACTED] [REDACTED] was very disturbed. According to the [REDACTED] was allegedly engaged in a relationship with [REDACTED]. On the same day the [REDACTED] [REDACTED] along with [REDACTED] and [REDACTED], met with [REDACTED], the [REDACTED] of the [REDACTED]. During this meeting, [REDACTED] agreed to retract [REDACTED] and did so in a subsequent [REDACTED]. It was only later that [REDACTED] learnt from [REDACTED] that [REDACTED] was behind the [REDACTED]. As a result, [REDACTED] filed a complaint against [REDACTED].

**C. ID/OIOS INTERVIEWS WITH [REDACTED]**

23. Significantly, ID/OIOS obtained [REDACTED] from the [REDACTED] with the [REDACTED]. This [REDACTED] refers to the [REDACTED] as the source and states that it has had no dealings with this individual:

[REDACTED]

...

[REDACTED]

[REDACTED]

24. On [REDACTED], when ID/OIOS showed [REDACTED] of the [REDACTED] dismissed it as a forgery. [REDACTED] that, amongst other discrepancies, it was not [REDACTED] on the [REDACTED] and provided investigators with a clearly different example of [REDACTED].

**D. ID/OIOS INTERVIEWS WITH [REDACTED]**

25. On [REDACTED] [REDACTED] D/OIOS interview [REDACTED] stated that a certain [REDACTED], a [REDACTED], provided [REDACTED] with the story after having received it from an unidentified source working at [REDACTED] who in turn, received it from [REDACTED].

26. Following the [redacted] discovered that [redacted] was incorrect; and the [redacted] issued a [redacted]

27. [redacted]'s information, signed a statement in the presence of [redacted] and others stating that [redacted] "provided [redacted]"

28. Even though [redacted] never had dealings with [redacted] confirmed to ID/OIOS that [redacted] stands by [redacted] statement that [redacted] "was the source. The fact that the story turned out to be false, did not alter [redacted] stance—[redacted] considers [redacted] as a close friend, who regularly attends [redacted] and provided [redacted] with a "big story [that] will [redacted]"

29. According to [redacted] a [redacted] after the [redacted], a certain [redacted], a former [redacted] now working for [redacted], offered [redacted] several bribes to retract [redacted] that "[redacted]" was the source. ID/OIOS was unable to locate [redacted], who, according to [redacted], is related to a [redacted]

30. When [redacted] was shown the [redacted] supposedly [redacted] ([redacted] retracting [redacted]'s disclosure that "[redacted]" was the source, [redacted] stated that the [redacted] was a forgery.

31. Subsequent to [redacted] interview [redacted] called ID/OIOS advising that [redacted] had disclosed that the actual source of the [redacted] was [redacted], [redacted]. However, [redacted] later retracted this claim stating that it was not true.

**E. ID/OIOS INTERVIEW WITH [redacted]**

32. [redacted]ed for ID/OIOS to meet with [redacted] source [redacted].

33. On [redacted], ID/OIOS interviewed a [redacted] who introduced [redacted] as [redacted], a [redacted] and close friend of [redacted]. Although ID/OIOS requested identification and [redacted] undertook to provide such [redacted] failed to produce identity verification documents. (For purposes of this interview, ID/OIOS will refer to this [redacted].)

34. [redacted] informed ID/OIOS that [redacted] has a [redacted] that allows [redacted] access to [redacted]. On an unknown date in [redacted], as [redacted] was exiting [redacted], an unknown [redacted] handed [redacted] a [redacted]; thinking it was a [redacted] left without reviewing the [redacted]. When [redacted] subsequently read [redacted] thought it was a very good [redacted] and gave it to [redacted], who [redacted] it.

35. According [redacted] requested [redacted] to follow up on the original [redacted], so [redacted] re-attended [redacted] used [redacted] to gain entry and with the help of [redacted] reached the [redacted]. [redacted] was [redacted] by the same [redacted] who had originally given [redacted]. [redacted] went into [redacted] and collecting a copy of [redacted], told [redacted] "I am proud of you. You did

[redacted]

[REDACTED] then asked the [REDACTED] as [REDACTED] forgot to do so previously. This [REDACTED] then introduced [REDACTED] as [REDACTED]" and told [REDACTED] that [REDACTED] should return later that day for [REDACTED]" then introduced [REDACTED] to a certain [REDACTED], advising [REDACTED] that if [REDACTED] was unavailable, [REDACTED]" would answer [REDACTED] questions.

36. [REDACTED] stated that [REDACTED] then left the [REDACTED], but as soon as [REDACTED] reached the [REDACTED] came running out of [REDACTED], asking [REDACTED] for [REDACTED]; [REDACTED] stated that [REDACTED] could not give [REDACTED] one as [REDACTED] did not have a [REDACTED]; later informed [REDACTED] to follow up with [REDACTED] on the new [REDACTED] (Strikingly, [REDACTED] made no reference to [REDACTED] during [REDACTED]/OIOS interview).

37. Remarkably [REDACTED] d that [REDACTED] y informed [REDACTED] a about the identity of the source in [REDACTED]; the only thing [REDACTED] initially told [REDACTED] was that the [REDACTED] was from a [REDACTED]

**F. ID/OIOS ISSUES WITH THE EVIDENCE OF [REDACTED]"**

38. ID/OIOS identified serious issues with [REDACTED]" statements, which include:

- (a) [REDACTED] was unable to identify [REDACTED] despite promising to do so failed to provide proper identification;
- (b) Only limit [REDACTED] re issue [REDACTED] s and [REDACTED] is not one of these [REDACTED]
- (c) [REDACTED] was not [REDACTED] at the tim [REDACTED] y attended it the first time;
- (d) There is no record of a person name [REDACTED] g the [REDACTED] for the [REDACTED] prior to this enquiry;
- (e) It is not possible for the [REDACTED] to enter the [REDACTED] In fact ID/OIOS investigators had difficulties gaining official access;
- (f) One cannot run out of [REDACTED] ue to [REDACTED] n place and must pass through [REDACTED] and
- (g) [REDACTED] on of receiving the information from [REDACTED] differs substantively from that of [REDACTED] e.g. contrary to [REDACTED] version, [REDACTED] only informed [REDACTED] about the source's identity in [REDACTED]—that is [REDACTED] disclosed the source's identity.

39. Based on the totality of the evidence, ID/OIOS has serious concerns about the credibility of both [REDACTED]

[REDACTED]

[REDACTED]

**G. ID/OIOS INTERVIEW WITH [REDACTED]**

40. On [REDACTED] d to ID/OIOS that or [REDACTED] was [REDACTED] and was not allowed to talk to anyone in [REDACTED]. Although, [REDACTED] saw [REDACTED] in the [REDACTED] later realised that [REDACTED] was no longer there. [REDACTED] denied any involvement in arranging for [REDACTED] removal from [REDACTED].

41. [REDACTED] d tha [REDACTED] was aware of [REDACTED] and the subsequent [REDACTED] retracting details of the [REDACTED] source—however [REDACTED] denied knowing or speaking to any [REDACTED] nor releasing any [REDACTED] to the [REDACTED]. According to [REDACTED] has only spoken to [REDACTED] once with the permission of the [REDACTED] denied all allegations put to [REDACTED] relation to [REDACTED] meeting with [REDACTED].

42. [REDACTED] d tha [REDACTED] y have discussed [REDACTED] being removed from [REDACTED], but in the context that [REDACTED], was in [REDACTED] behind [REDACTED] when [REDACTED] explained that [REDACTED] lodged a complaint with the [REDACTED] against [REDACTED] after [REDACTED] raised [REDACTED] voice and gave the [REDACTED] a hard time for [REDACTED]. The matter was later resolved.

**H. MISBEHAVIOUR COMPLAINT AGAINST [REDACTED]**

43. Throughout the course of this investigation, it was reported tha [REDACTED] e was the cause for [REDACTED] removal from [REDACTED] whilst [REDACTED]. This was purportedly because [REDACTED] had been involved in an incident of misbehaviour involving [REDACTED] in [REDACTED]. At the time of [REDACTED]. [REDACTED] giving evidence, [REDACTED] was present in [REDACTED] [REDACTED] is known to be an associate of [REDACTED] and [REDACTED] purports that [REDACTED] wanted [REDACTED] removed in case [REDACTED] had to defend [REDACTED] credibility should the complaint be raised during [REDACTED] testimony.

44. ID/OIOS investigated the allegation of misbehaviour. The evidence revealed that it involved [REDACTED] improper behaviour at the [REDACTED]. According to witnesses interviewed, [REDACTED] was upset by the [REDACTED] and started to [REDACTED]. Subsequently, [REDACTED] lodged a complaint with the [REDACTED], who initiated an inquiry. [REDACTED] apologized to [REDACTED] sent a [REDACTED] to [REDACTED], which, in accordance with [REDACTED], resolved the matter in a manner commensurate with the level of the alleged misconduct. ID/OIOS found no evidence that linked [REDACTED] removal from [REDACTED] with the complaint against [REDACTED].

**I. ID/OIOS INTERVIEWS WITH [REDACTED]**

45. During its interviews wi [REDACTED], ID/OIOS found no evidence of improper conduct by [REDACTED]. Similarly, interviews with non-staff members and members of the local community provided no evidence on the release of information to [REDACTED].

**J. ID/OIOS INSPECTION OF PHONE AND E-MAIL RECORDS**

46. ID/OIOS reviewed numerous telephone and e-mail records concerning [REDACTED] personnel relevant to the enquiry. These records revealed no contact with [REDACTED] by any staff members. They also failed to produce any evidence of a conspiracy between any of the nominated subjects regarding the complainants, as suggested by some witnesses.

**K. ID/OIOS INTERVIEW WITH [REDACTED]**

47. During [REDACTED] interview [REDACTED] stated that [REDACTED] and supervisor of [REDACTED], was away at the time and therefore [REDACTED] was more involved in the [REDACTED] of the [REDACTED]. Although there was a massive amount of work to be done on the [REDACTED] to which [REDACTED] was assigned, [REDACTED] was attending a [REDACTED] where [REDACTED] was giving evidence in another [REDACTED]. In light of this, [REDACTED] removed [REDACTED] from [REDACTED]. [REDACTED] stated that [REDACTED] work performance was not affected by this step, as [REDACTED] was still able to follow the [REDACTED] through [REDACTED] from [REDACTED] and could also, if required, peruse the [REDACTED] at a later time.

48. [REDACTED] stated that [REDACTED] was aware that a certain [REDACTED], the complainant in an unrelated matter against [REDACTED] was in [REDACTED] that day, but denied that [REDACTED] asked for [REDACTED] removal from the [REDACTED].

49. [REDACTED] stated that [REDACTED] acted within [REDACTED] authority when [REDACTED] instructed [REDACTED] to return to [REDACTED] office—it is [REDACTED] responsibility to direct [REDACTED] as [REDACTED] thinks appropriate and [REDACTED] is under no obligation to explain [REDACTED] actions to a subordinate.

50. Regarding [REDACTED] [REDACTED] stated that [REDACTED] first heard of it from [REDACTED] one of the [REDACTED] denied any involvement in the [REDACTED] advising that [REDACTED] has only spoken to [REDACTED] once with the permission of [REDACTED]. [REDACTED] added that there was no benefit for [REDACTED] to have a story like that [REDACTED].

**L. [REDACTED] S ENGAGEMENT IN OUTSIDE OCCUPATIONS**

51. During the course of this investigation and with an inspection of e-mail records, evidence was adduced that was indicative of [REDACTED] operating a [REDACTED] without the knowledge of the [REDACTED]. This evidence involved providing legal opinions, negotiating contracts, facilitating [REDACTED] and building [REDACTED] correspondence also showed negotiations of prices for [REDACTED] rendered. It was apparent that [REDACTED] had also prepared material for [REDACTED] and was involved in other business ventures.

**M. ID/OIOS INTERVIEW WITH [REDACTED]**

52. On [REDACTED] ID/OIOS interviewe [REDACTED] about [REDACTED] engagement in outside activities, including a [REDACTED], without the approval of the [REDACTED] whilst working specifically as a [REDACTED].

53. [REDACTED] admitted that [REDACTED] as [REDACTED] in town and though it is [REDACTED] [REDACTED] is not actively involved in its operation and only visits it occasionally. However, [REDACTED] admitted that [REDACTED] generates an income from the [REDACTED] and refers [REDACTED] to it. [REDACTED] stated that [REDACTED] reopened the [REDACTED] recently.

54. Further, [REDACTED] admitted that [REDACTED] heads [REDACTED] that conducts [REDACTED] and bestows [REDACTED]. [REDACTED] advised that [REDACTED] is also associated to an organisation called [REDACTED] which is a [REDACTED] contributing to the efforts of the [REDACTED]. According to [REDACTED] it is a [REDACTED] organization but accepts [REDACTED].

55. [REDACTED] stated that [REDACTED] has not sought approval nor informed the [REDACTED] about [REDACTED] engagement in outside activities.

56. In regard to [REDACTED] [REDACTED] stated that [REDACTED] was alarmed when [REDACTED] saw [REDACTED] as it could have had [REDACTED]—the [REDACTED] could have applied for a [REDACTED] the ground of [REDACTED]. Although [REDACTED] discussed it with [REDACTED] who is [REDACTED], and has relationships with certain members of [REDACTED] denied having any involvement in its [REDACTED]. ID/OIOS found no evidence that [REDACTED] released the [REDACTED] to [REDACTED].

## VI. FINDINGS AND CONCLUSIONS

### *a. Regarding [REDACTED]*

57. ID/OIOS found no evidence that [REDACTED] abused [REDACTED] authority when [REDACTED] removed [REDACTED] from the [REDACTED]. In fact, [REDACTED] acted well within [REDACTED] authority when [REDACTED] directed [REDACTED] to other duties. Further, ID/OIOS found that [REDACTED] was under no obligation to provide [REDACTED] with reasons for [REDACTED] operational decisions. Hence, [REDACTED] refusal to provide an explanation to [REDACTED] was not offensive or arbitrary.

58. ID/OIOS found no evidence that [REDACTED] [REDACTED] has committed an act of professional misconduct. Specifically, ID/OIOS found no evidence that [REDACTED] was the source for [REDACTED]. Rather, it found that the credibility of both [REDACTED] [REDACTED] were so flawed that none of their statements could be considered—ID/OIOS found both to be unreliable witnesses.

59. ID/OIOS concludes that all allegations against [REDACTED] are unsubstantiated.

### *b. Regarding [REDACTED]*

60. ID/OIOS found no evidence that [REDACTED] provided the [REDACTED] with information concerning [REDACTED].

61. Further, ID/OIOS found that the allegation of misbehaviour against [REDACTED] [REDACTED] was properly handled in accordance with the [REDACTED].

62. ID/OIOS concludes that all allegations against [REDACTED] are unsubstantiated.

*c. Regarding*

63. ID/OIOS found no evidence that provided the with information concerning .

64. However, ID/OIOS concludes that violated Staff Regulation 1.2 (m) and (n) by engaging in outside , including a without the consent or knowledge of . In addition, is employed by , a position by reason of which and practice may benefit.

*d. General Findings*

65. ID/OIOS was unable to establish who, if anyone, provided information to the in this case. However, given the circumstances, a strong inference can be drawn that the information came from within .

66. Finally, ID/OIOS notes that during the course of this investigation there were significant levels of intimidation and coercion by the different office factions within . Agents on behalf of the subjects engaged in behaviour that was less than acceptable in the circumstances. However, it was evident that also engaged in similar tactics in the formulation and maintenance of complaint. As this behaviour was limited to office politics and personality differences, ID/OIOS makes no findings against individuals in this regard.

**VII. RECOMMENDATIONS**

67. In view of the preceding findings ID/OIOS makes the following recommendations:

Recommendation 1: It is recommended that the advise of the outcome of this investigation.

Recommendation 2: It is recommended that the advise of the outcome of this investigation.

Recommendation 3: It is recommended that the take appropriate action against

-- // --