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**OFFICE OF INTERNAL OVERSIGHT SERVICES
INVESTIGATIONS DIVISION**

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INVESTIGATION OF AN ALLEGATION OF SEXUAL HARASSMENT BY

WITHIN THE

REDACTED REPORT

ID Case No. 0101-06

23 JANUARY 2007

STRICTLY CONFIDENTIAL

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INVESTIGATION OF AN ALLEGATION OF SEXUAL
HARASSMENT AGAINST [REDACTED]

BY THE [REDACTED]

I. INTRODUCTION

1. On [REDACTED] the Investigations Division of the Office of Internal Oversight Services (ID/OIOS) received information regarding the alleged sexual harassment of a staff member of the [REDACTED] by [REDACTED], an employee of [REDACTED] - a [REDACTED] operating with [REDACTED]

II. BACKGROUND

2. On [REDACTED] immediately after the [REDACTED] the [REDACTED] pledged [REDACTED] including the [REDACTED] of [REDACTED]. As part of this endeavor and in furtherance of the [REDACTED] various [REDACTED] including [REDACTED] were [REDACTED] to provide services to [REDACTED]. On [REDACTED] an agreement was entered into between the [REDACTED] and [REDACTED] a [REDACTED] incorporated under the laws of the [REDACTED] and having its offices at [REDACTED]

3. [REDACTED] joined [REDACTED] as a [REDACTED] in [REDACTED] on a [REDACTED] that expired in [REDACTED]

4. The alleged victim is [REDACTED], [REDACTED] staff member employed as a [REDACTED] and at the time of the alleged incident was [REDACTED]. On [REDACTED], [REDACTED] lodged a written complaint with the [REDACTED] who in turn passed the complaint to the [REDACTED] alleging that, on [REDACTED], [REDACTED] had been sexually harassed by [REDACTED] whilst attending a [REDACTED] held for [REDACTED] at the [REDACTED] in [REDACTED]

III. APPLICABLE LAW

5. Contract between the [REDACTED]

Annex C 1[a]

"... [REDACTED] shall be responsible for the professional and technical competence of its employees and will select, for work under this Charter Agreement, reliable individuals who will perform effectively in the

implementation of this Charter Agreement, respect the local customs, and conform to a high standards of moral and ethical conduct."

Annex C I [b]

"Sexual Exploitation: [REDACTED] represents and warrants that it has taken all appropriate measures to prevent sexual exploitation or abuse of anyone by its [REDACTED] or any other persons engaged by [REDACTED] to perform any services under [REDACTED] [REDACTED] represents and warrants that it has taken all appropriate measures to prohibit its employees or other persons engaged by [REDACTED] from engaging in any sexual activities that are exploitative or degrading to any person. This provision constitutes an essential term of this Charter Agreement, and any breach of this representation and warranty shall entitle the United Nations to terminate this Charter Agreement immediately upon notice to the Charter, without any liability for termination charges or any other liability of any kind."

IV. METHODOLOGY

6. ID/OIOS interviewed the complainant, relevant witnesses and the subject, [REDACTED] and obtained and reviewed relevant documents.

V. INVESTIGATIVE DETAILS

Interview with victim:

7. [REDACTED] told ID/OIOS that just prior to the alleged incident at the [REDACTED], [REDACTED] had gone to the [REDACTED] with a [REDACTED] ([REDACTED]), to play [REDACTED]. While at the [REDACTED] one of the [REDACTED] who was noticeably intoxicated, came to [REDACTED] and said 'hello' and then said some words in [REDACTED]. [REDACTED] then asked the [REDACTED] what [REDACTED] wanted and [REDACTED] responded with words to the effect that [REDACTED] had a lot of money; that [REDACTED] could [REDACTED] anything and that [REDACTED] could have any [REDACTED] wanted. [REDACTED] told ID/OIOS that [REDACTED] responded saying [REDACTED] did not need the [REDACTED] and moved away from [REDACTED] and joined another group at the [REDACTED]. However, after some time, the [REDACTED] followed [REDACTED] and was speaking in [REDACTED]. Once again, [REDACTED] moved away from the [REDACTED].
8. [REDACTED] told ID/OIOS that the [REDACTED] approached [REDACTED] a [REDACTED] and placed [REDACTED] hands around [REDACTED] waist and pulled [REDACTED] towards [REDACTED] at which point [REDACTED] requested other members of the [REDACTED] present to assist [REDACTED] and take their colleague away but they refused to intervene. [REDACTED] stated that [REDACTED] pushed the [REDACTED] away and then went to sit by the [REDACTED].
9. [REDACTED] stated that [REDACTED] later attended on the [REDACTED] and [REDACTED] with a [REDACTED]. At this time, the subject [REDACTED] approached [REDACTED] a [REDACTED] [REDACTED] said someone grabbed [REDACTED] buttocks as [REDACTED] was dancing and when [REDACTED] looked back, [REDACTED] saw it was the same [REDACTED]. [REDACTED] left the [REDACTED] shortly thereafter.

10. [REDACTED] stated that [REDACTED] had a meeting with the [REDACTED] [REDACTED] the following day and thereupon learnt that the [REDACTED] was named [REDACTED]

Interview with witness:

11. ID/OIOS interviewed [REDACTED] the [REDACTED] who was the [REDACTED] at the [REDACTED] [REDACTED] told ID/OIOS that on [REDACTED] there was a problem with the [REDACTED] in that a group of them, comprising [REDACTED] had been drinking heavily from early in the evening and were quite drunk by the time of the [REDACTED] [REDACTED] had been sitting in the [REDACTED] where they had a [REDACTED] dinner and alcoholic beverages, but moved outside to where the [REDACTED] was being held. [REDACTED] stated that some of the [REDACTED] left but one called [REDACTED], with whom [REDACTED] is well acquainted, and another named [REDACTED] remained.

12. [REDACTED] told ID/OIOS that [REDACTED] wanted to [REDACTED] but the [REDACTED] refused to [REDACTED] with [REDACTED] though [REDACTED] could not recall how many [REDACTED] refused to [REDACTED] with [REDACTED] as [REDACTED] was busy [REDACTED]. However, [REDACTED] recalled that [REDACTED] approached [REDACTED] from behind and grabbed [REDACTED] around the waist with both arms, with one hand being placed on [REDACTED] upper right thigh. [REDACTED] recalled that [REDACTED] was angry pushing [REDACTED] away, and shortly thereafter [REDACTED] left the [REDACTED].

13. [REDACTED] told ID/OIOS that [REDACTED] took [REDACTED] from the [REDACTED] so that [REDACTED] could go to bed, but [REDACTED] times [REDACTED] returned. [REDACTED] stated that the [REDACTED] had been drinking from around [REDACTED] and between [REDACTED] and [REDACTED] saw [REDACTED] still drinking.

14. [REDACTED] told ID/OIOS that [REDACTED] picked a fight with other people during the [REDACTED], namely [REDACTED] and a [REDACTED] who were unknown to [REDACTED]. [REDACTED] stated that [REDACTED] followed the [REDACTED] and grabbed [REDACTED] left hand. [REDACTED] of the [REDACTED] objected to [REDACTED] grabbing the [REDACTED] and [REDACTED] threw a punch at the [REDACTED] but missed. [REDACTED] stated that the following day [REDACTED] asked [REDACTED] why [REDACTED] had wanted to fight with people the night before to which [REDACTED] responded that [REDACTED] had been drunk.

Interview with the subject - [REDACTED]

15. ID/OIOS interviewed [REDACTED] who vehemently denied the allegation, describing the incident on [REDACTED] as a misunderstanding mainly because of different cultures. [REDACTED] stated that [REDACTED] requested [REDACTED] to [REDACTED] and put an arm on [REDACTED] back, indicating a [REDACTED] [REDACTED] reacted angrily and pushed [REDACTED] away and started shouting at [REDACTED]. This happened on the [REDACTED]

16. [REDACTED] denied having consumed intoxicating liquor on the evening of the incident, adding that [REDACTED] has never consumed intoxicating liquor.

17. [REDACTED] denied approaching [REDACTED] a total of [REDACTED] times, stating that [REDACTED] only approached [REDACTED] once asking for a [REDACTED]. When [REDACTED] reacted angrily, [REDACTED] said that [REDACTED] moved away and did not talk to [REDACTED] again.

VI. FINDINGS

18. ID/OIOS found that on the night of [REDACTED] at a social gathering celebrating [REDACTED] an employee of [REDACTED] [REDACTED] made inappropriate comments to and had unwelcome physical contact with [REDACTED]. [REDACTED] comments were found to be inappropriate due to their sexual connotation. ID/OIOS found that [REDACTED] was under the influence of intoxicating liquor at the time.

VII. CONCLUSIONS

19. ID/OIOS concludes that [REDACTED] inappropriate comments to [REDACTED] and [REDACTED] unwelcome physical contact with [REDACTED] fell short of the "high standards of moral and ethical conduct" expected of an employee of a [REDACTED] of the contract between the [REDACTED]. However, [REDACTED] conduct did not breach [REDACTED] of the contract between the [REDACTED].

VIII. RECOMMENDATIONS

20. In light of the findings of the investigation, ID/OIOS recommends the following:

Recommendation 1: It is recommended that the [REDACTED] provide a copy of this report to [REDACTED] for appropriate action against [REDACTED] and that any action taken in respect of this report be communicated to OIOS through [REDACTED].

Recommendation 2: It is recommended that [REDACTED] and [REDACTED] remind [REDACTED] of their contractual obligations to the [REDACTED] with respect to the conduct of their employees and that appropriate action will be taken with respect to any contractual breaches. [REDACTED]