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**OFFICE OF INTERNAL OVERSIGHT SERVICES  
INVESTIGATIONS DIVISION**

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

**REPORT OF THE INVESTIGATION OF AN ALLEGATION OF  
SEXUAL ABUSE AGAINST AN [REDACTED] PEACEKEEPER  
DEPLOYED WITH THE UNITED NATIONS [REDACTED]**

**REDACTED REPORT**

**ID Case No. 0117/06**

**29 MARCH 2007**

**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.

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ALLEGATIONS OF SEXUAL EXPLOITATION AND ABUSE BY A UNITED NATIONS ██████████ IN ██████████

(ID Case No. ██████████)

I. INTRODUCTION

1. On ██████████ ██████████ referred an allegation of sexual exploitation and abuse (SEA) to the Investigations Division of the Office of Internal Oversight Services (ID/OIOS), pursuant to General Assembly resolution 59/287 of 21 April 2005, which assigns ID/OIOS sole responsibility for Category I serious misconduct investigations, including SEA allegations.

2. It was alleged that on ██████████ a ██████████-old ██████████ boy ██████████ was the victim of an act of sexual abuse by ██████████ an ██████████ the ██████████ with ██████████

3. It was further alleged that ██████████ ██████████ tried to cover up the allegations by offering financial compensation to the ██████████ as well as to ██████████ in ██████████

II. BACKGROUND INFORMATION

4. ██████████, a city of approximately ██████████ inhabitants, is situated approximately ██████████ kilometers southeast of ██████████ in the ██████████ of the ██████████ of the ██████████

5. Since ██████████, ██████████ has been the largest ██████████ based in ██████████. At the time of the investigation, ██████████ was comprised of ██████████ of ██████████ each, with ██████████ based in ██████████'s ██████████ rotated out of the ██████████ in ██████████

III. APPLICABLE LAW

6. ██████████ Penal Code

Section ██████████

*"Assault or criminal force with intent to dishonour person, otherwise than on grave provocation.--Whoever assaults or uses criminal force to any person, intending thereby to dishonour that person, otherwise than on grave and sudden*

provocation given by that person, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both."

Section [REDACTED] - Child Abuse

"A consent is not such a consent as is intended by any section of this Code... if the consent is given by a person who is under [REDACTED] of age".

7. Code of Personal Conduct for [REDACTED]

Rule [REDACTED]: "Do not indulge in immoral acts of sexual, physical or psychological abuse or exploitation of the local population or United Nations staff, especially women and children."

8. [REDACTED]: Directives for Disciplinary Matters Involving [REDACTED]

"[REDACTED] "Serious Misconduct: Any act, omission or negligence, including criminal acts, that is a violation of [REDACTED] standard operating procedures, directives, or any other applicable rules, regulations or administrative instructions that results in or is likely to result in serious damage or injury to any individual or to the [REDACTED]. Serious misconduct includes, but is not limited to: Sexual abuse and exploitation of any individual, particularly children;"

[REDACTED] [REDACTED] [REDACTED] [REDACTED] are required to abide by the highest standards of integrity while in service for the United Nations. They shall refrain from any conduct that would adversely reflect on the United Nations....

[REDACTED] In cases where [REDACTED] [REDACTED] are believed to have been involved in an act of serious misconduct or an act that has the potential to damage the image, credibility or integrity of the United Nations, the [REDACTED] shall be notified immediately.

9. [REDACTED]'s Code of Conduct on Sexual Exploitation and Sexual Abuse

"It is strictly prohibited for all [REDACTED] personnel to engage in:

Any act of sexual abuse and sexual exploitation, or other form of sexually humiliating, degrading or exploitative behaviour;

Any type of sexual activities with children (persons under age of [REDACTED])..."

10. [REDACTED] "Special Measures for Protection from Sexual Exploitation and Abuse

"...the term 'sexual exploitation' means any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual

purposes...Similarly, the term 'sexual abuse' means the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

██████████ are prohibited from committing acts of sexual exploitation and sexual abuse, and have a particular duty of care towards women and children, pursuant to section 7 of Secretary General's bulletin ██████████ ..

██████████ Sexual exploitation and sexual abuse violate universally recognized international legal norms and standards and have always been unacceptable behaviour and prohibited conduct by the United Nations Staff Regulations and Rules.

██████████ Sexual exploitation and sexual abuse constitute acts of serious misconduct and are therefore grounds for disciplinary measures including summary dismissal."

██████████ United Nations staff are obliged to create and maintain an environment that prevents sexual exploitation and sexual abuse. Managers at all levels have a particular responsibility to support and develop systems that maintain this environment."

11. ██████████ Observance by United Nations ██████████ of International Humanitarian law

██████████ Children shall be the object of special respect and shall be protected against any form of indecent assault."

#### IV. METHODOLOGY

12. ID/OIOS conducted interviews with the victim, other pertinent witnesses and the subject, ██████████. To protect the identity of ██████████ ID/OIOS refers to ██████████ ██████████ ██████████

#### V. INVESTIGATIVE DETAILS

##### Allegation

13. On ██████████ the ██████████ of the alleged victim met with the ██████████ in ██████████, ██████████ to "seek justice on behalf of a ██████████ year old ██████████ who had been sexually assaulted by an ██████████". The information provided to ID/OIOS via the ██████████ was that the ██████████ ██████████ involved was due to ██████████ of the ██████████ on ██████████

14. In addressing the allegations, [redacted] told ID/OIOS that on [redacted] was playing near a [redacted] where [redacted] had come to [redacted]. At the request of one of the [redacted] gave [redacted] some [redacted]. The [redacted] then asked [redacted] to follow [redacted] to a [redacted] nearby. Once at the [redacted] the [redacted] sat on the ground and indicated that [redacted] should do the same. The [redacted] then said " [redacted] and placed [redacted]'s hand on [redacted] penis before allegedly having [redacted] perform fellatio. [redacted] stated that the [redacted] did not do anything else to [redacted] and that the incident ended when other [redacted] arrived at the [redacted].

Corroborating Evidence

15. [redacted] a [redacted]-year-old [redacted] national and resident of [redacted] informed ID/OIOS that on [redacted] [redacted] passed by the [redacted] where [redacted] saw some [redacted] also heard young boys crying. [redacted] spoke to the [redacted] and was told that a [redacted] was "making love to their friend in his mouth". The [redacted] pointed to a [redacted] on the opposite side of the [redacted]. When [redacted] entered the [redacted] saw a [redacted] and a small [redacted] and that the [redacted] appeared to be in the process of returning [redacted] penis into [redacted] trousers. [redacted] stated that [redacted] also saw semen on the [redacted]'s face.

16. [redacted] took the [redacted] out of the [redacted] at the same time as two other [redacted] arrived. [redacted] stated [redacted] was so mad, that they offered [redacted] [redacted] in an effort to calm [redacted] down. When [redacted] refused the money, the [redacted] then tried to put [redacted] in the pocket of [redacted]. [redacted] stated that [redacted] threw that money away.

17. [redacted] then took the [redacted] to meet with the [redacted] of the [redacted] at the [redacted] and informed [redacted] of the incident. After hearing what happened, the [redacted] told [redacted] the accused [redacted] to lie down on the ground upon which [redacted] was then beaten with a stick.

18. [redacted] stated that [redacted] took [redacted] to the [redacted] and with the assistance of an [redacted] informed the [redacted] of the incident. [redacted] was then taken to the [redacted] [redacted] who treated [redacted] for a throat infection, a matter unrelated to this incident, but found no other injuries. [redacted] stated that the [redacted] asked [redacted] not to discuss the incident with anyone.

19. The following morning [redacted] returned to [redacted] with [redacted]'s [redacted] other [redacted] and a [redacted]. [redacted] stated that the [redacted] they spoke to, offered compensation of [redacted] and two [redacted] but [redacted] group demanded [redacted]. The next day the [redacted] and the [redacted] told [redacted] that [redacted] had been paid compensation and urged [redacted] to sign a document that said there had been trouble at the [redacted] and a [redacted] took [redacted] into a [redacted].

[redacted]

to protect [REDACTED] [REDACTED] told ID/OIOS that although [REDACTED] did not want to sign the false statement, [REDACTED] eventually did so and was then paid [REDACTED].

20. [REDACTED] advised ID/OIOS that [REDACTED] told [REDACTED] that a "[REDACTED]" asked [REDACTED] to sit beside [REDACTED] undress and put the "[REDACTED]" penis in [REDACTED] mouth. [REDACTED] further stated that when [REDACTED] went to the [REDACTED] with [REDACTED] and others, [REDACTED] of the [REDACTED] told [REDACTED] that [REDACTED] had met with the [REDACTED] and they had jointly decided to keep the incident confidential. [REDACTED] also informed [REDACTED] that the [REDACTED] wanted [REDACTED] to leave the city so that the incident would not be broadcast. [REDACTED] told ID/OIOS that [REDACTED] gave [REDACTED] which came from the [REDACTED] to assist with [REDACTED] move from [REDACTED] and that [REDACTED] persuaded [REDACTED] to sign a document with [REDACTED] although [REDACTED] did not know its exact contents.

21. [REDACTED] the [REDACTED] was interviewed by ID/OIOS and confirmed that [REDACTED] had met with the [REDACTED] whom [REDACTED] identified as [REDACTED] concerning this incident. [REDACTED] however denied that [REDACTED] involved in any financial transaction between the [REDACTED] and [REDACTED]'s [REDACTED] or that [REDACTED] asked anyone to leave [REDACTED].

22. ID/OIOS interviewed [REDACTED] - [REDACTED] and [REDACTED] who were both at the [REDACTED] on the date of the incident. Both [REDACTED] confirmed of having been informed of, but not witnessing, the alleged sexual assault. They also confirmed the corporal punishment administered by [REDACTED] against [REDACTED].

23. [REDACTED] stated that the [REDACTED] with the victim wanted to be provided some sort of payment. [REDACTED] stated that the [REDACTED] wrote [REDACTED] in the sand with [REDACTED] finger while making the comments "[REDACTED] no report." [REDACTED] however, stated that [REDACTED] stated "no dollars" inferring that the matter would be reported to the [REDACTED] regardless.

24. When questioned on this matter directly, [REDACTED] denied any discussions involving money or payments to the [REDACTED] who, at the time, [REDACTED] believed to be the victim's [REDACTED]. Rather, [REDACTED] reported the matter to the [REDACTED].

25. [REDACTED] told ID/OIOS that upon learning of the incident [REDACTED] immediately informed the [REDACTED] in [REDACTED] who asked [REDACTED] to set up a [REDACTED] and to ensure the [REDACTED] was seen by a [REDACTED] which [REDACTED] did. When [REDACTED] interviewed [REDACTED] the [REDACTED] admitted that [REDACTED] had [REDACTED] masturbate and perform fellatio on [REDACTED] before [REDACTED] ejaculated in the [REDACTED]s mouth. [REDACTED] stated that [REDACTED] was not involved in [REDACTED]'s payment of compensation, nor was [REDACTED] involved in deciding how much compensation should be paid. [REDACTED] did however acknowledge that [REDACTED] made some sort of payment to the victim's [REDACTED] and the [REDACTED] who facilitated the process.

Photographic array

26. On [REDACTED] [REDACTED] viewed a photographic array of [REDACTED] including [REDACTED]. [REDACTED] identified [REDACTED] as the person who assaulted [REDACTED]. On the same day, [REDACTED] also viewed the photographic array and identified [REDACTED] as being the person who [REDACTED] had seen in the [REDACTED] with [REDACTED].

Subject Interview

27. ID/OIOS interviewed [REDACTED] who fully admitted the allegation that [REDACTED] had sexually assaulted [REDACTED] by unzipping [REDACTED] pants and asking the [REDACTED] to take [REDACTED] penis in [REDACTED] hand. [REDACTED] denied having put [REDACTED] penis in the [REDACTED]'s mouth. [REDACTED] also signed a copy of the record of the interview prepared by ID/OIOS (see Annex 1).

28. [REDACTED] stated that [REDACTED] was punished by the [REDACTED]. [REDACTED] stated that the [REDACTED] at the scene was demanding that the [REDACTED] pay [REDACTED] some money. [REDACTED] noted that the [REDACTED] went as far to write [REDACTED] in the sand with a stick. [REDACTED] denied any assertion that the [REDACTED] tried to give the [REDACTED] and/or the [REDACTED] any money.

29. As a result of the incident at the [REDACTED], [REDACTED] stated that [REDACTED] was sent to [REDACTED] the following day. The next day, [REDACTED] was brought back to [REDACTED] and "was told" that arrangements had been made by [REDACTED] the [REDACTED] for [REDACTED] to pay compensation to the [REDACTED]. [REDACTED] stated that on [REDACTED] personally gave [REDACTED] to [REDACTED] and [REDACTED] to some local persons, including the [REDACTED]. [REDACTED] stated that [REDACTED] returned to [REDACTED] that day and following the [REDACTED] investigation, [REDACTED] for [REDACTED] sexual assault of [REDACTED].

30. On [REDACTED] [REDACTED] provided ID/OIOS with a [REDACTED] document dated [REDACTED]. According to this document, [REDACTED] was questioned concerning this incident and was given the opportunity to cross-examine the [REDACTED]. [REDACTED] however declined the offer. Through the questions asked of and answered by [REDACTED] admitted the incident and signed a statement in the [REDACTED] document as follows: "*The above statement with question and answers has been read to the indl (sic) in the language [REDACTED] understands and [REDACTED] signs it as correct.*" The [REDACTED] found that [REDACTED] had performed a sexual act with the minor [REDACTED] which was a breach of the UN code of conduct and "*violated the instructions of sexual exploitation and abuse*", and recommended that stringent disciplinary action be initiated against [REDACTED].

31. The [REDACTED] also recommended strict disciplinary action be taken against [REDACTED] and [REDACTED] for "*failing to exercise command and control over their party, resulting in a grave sexual misconduct against a [REDACTED]*".

## VI. FINDINGS

32. ID/OIOS found that on [REDACTED] [REDACTED] sexually abused [REDACTED], a [REDACTED]-year-old [REDACTED].
33. The sexual assault was reported forthwith to [REDACTED] [REDACTED] [REDACTED] was immediately disciplined (beaten) by [REDACTED] and subject to [REDACTED] following a [REDACTED] initiated on [REDACTED].
34. With the exception of the [REDACTED] all [REDACTED] included [REDACTED] corroborated the fact that a payment was made by [REDACTED] to the [REDACTED] and other [REDACTED] involved in facilitating the negotiations.
35. Both [REDACTED] and the [REDACTED] of the victim [REDACTED] alluded to the payments being some sort of a bribe to keep the allegations from spreading. This assertion was however denied by both the [REDACTED] and [REDACTED].
36. While the [REDACTED] and [REDACTED] had something to lose by admitting to the assertion of a bribe, the independent witness and [REDACTED] had already been compensated and in fact had nothing to gain by fabricating such evidence. Notwithstanding, [REDACTED] acknowledged that payments to the [REDACTED] and the [REDACTED] were made following arrangements [REDACTED] believed to have been made by [REDACTED]. ID/OIOS noted however that [REDACTED] did not know positively who had made the actual arrangements. ID/OIOS also noted discrepancies in the amount of money dispersed amongst the individuals involved according to the various [REDACTED] and [REDACTED].
37. [REDACTED] described the [REDACTED] as "[REDACTED]" as compared to the other witnesses who described him as "[REDACTED]". Notwithstanding this discrepancy, [REDACTED] would not have intimate knowledge of the person's title and as such it is believed that the [REDACTED] are one and the same person.
38. To further complicate this issue were assertions by [REDACTED] and [REDACTED] that [REDACTED] had originally tried to solicit a bribe from them. [REDACTED] stated that [REDACTED] wrote [REDACTED] in the sand with a stick, while [REDACTED] indicated the same only indicating it was done with [REDACTED] finger. [REDACTED] however also stated that [REDACTED] was witness to the event, but [REDACTED] in fact denied any such observations.
39. Allegations of the solicitation of bribes by [REDACTED] and alleged [REDACTED] have been identified to ID/OIOS in the past during the course of its investigations in the [REDACTED]. With this in mind and the discrepancies noted in relation to the alleged bribe, ID/OIOS must provide the benefit of the doubt to [REDACTED] (in relation to any assertion that [REDACTED] facilitated the payment of a bribe to downplay the allegations). [REDACTED] evidence that [REDACTED] reported the matter to [REDACTED] is corroborated by the [REDACTED]. There is

however no explanation as to why [REDACTED] or anyone else in the [REDACTED] of [REDACTED] did not report the matter to the [REDACTED]

## VII. CONCLUSIONS

40. ID/OIOS concludes that by sexually assaulting a minor, [REDACTED] conduct was in contravention of Rule 4 of the Code of Personal Conduct for [REDACTED] (see paragraph 7), [REDACTED]'s Code of Conduct on Sexual Exploitation and Sexual Abuse (see paragraph 9), ST/SGB/2003/13 (see paragraph 10) and ST/SGB/1999/13 (see paragraph 11). These determinations also constitute *prima facie* evidence of assault in contravention of Section [REDACTED] of the [REDACTED] Penal Code (see paragraph 6).

41. ID/OIOS concludes that by not reporting this incident to the [REDACTED] [REDACTED] the [REDACTED] including [REDACTED] failed to comply with the provisions of [REDACTED] General Assembly resolution 59/287 of 21 April 2005 and Section 3.2(f) of ST/SGB/2003/13. Given the age of the victim, this act, even by omission or negligence, constitutes a serious offence in violation of [REDACTED]

## VIII. RECOMMENDATIONS

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

Recommendation 1: It is recommended that [REDACTED] forward a copy of this report to the [REDACTED] to the United Nations to review the actions of [REDACTED] and the punishment already meted out to assess the suitability of said actions given the age of the [REDACTED]

Recommendation 2: It is recommended that [REDACTED] inform the [REDACTED] to the United Nations that [REDACTED] will not be accepted to any current or future United Nations [REDACTED]

Recommendation 3: It is recommended that [REDACTED] forward a copy of this report to the [REDACTED] to the United Nations to consider appropriate action against [REDACTED]

Recommendation 4: It is recommended that [REDACTED] raise the findings of this report to the [REDACTED] to the United Nations in order to remind its [REDACTED] especially acts of sexual exploitation and abuse. (ID Rec. IV06/117/04)