



United Nations

Nations Unies

**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*

**ALLEGATION OF IMPROPRIETY ON THE PART OF [REDACTED]  
[REDACTED] IN TERMINATING [REDACTED]  
CONTRACT AND OIOS REVIEW OF ACTIONS TAKEN BY  
[REDACTED] WHILST INVESTIGATING ALLEGATIONS AGAINST  
[REDACTED]**

**REDACTED REPORT**

**ID Case No. 0720-06**

**25 OCTOBER 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.



TO: [REDACTED]

THROUGH:  
S/C DE:

FROM: [REDACTED]

**OBJET: Allegation of impropriety on the part of [REDACTED] in terminating [REDACTED] contract and OIOS review of actions taken by [REDACTED] whilst investigating allegations against [REDACTED]**

1. On [REDACTED], the Office of Internal Oversight Services (OIOS) received a complaint of alleged misconduct by [REDACTED] the [REDACTED] ([REDACTED]). The complaint also related to an allegation of inappropriate conduct by [REDACTED], the former [REDACTED].

2. It was alleged that [REDACTED] terminated the Individual Contract of [REDACTED] for [REDACTED], a former [REDACTED], because the latter had refused to [REDACTED] on the [REDACTED], the former [REDACTED], as allegedly instructed by [REDACTED].

3. In addition, the complaint indicated that, on [REDACTED], the [REDACTED] of [REDACTED] filed a [REDACTED] against [REDACTED]. The [REDACTED], signed by [REDACTED], was created to support a complaint of abuse of authority, harassment and sexual harassment filed by [REDACTED], a local [REDACTED] as a [REDACTED]. Furthermore, the [REDACTED] also alleged that [REDACTED] made discriminatory and [REDACTED] remarks to some [REDACTED] regarding [REDACTED] who had settled in [REDACTED] with the assistance of [REDACTED].

4. OIOS conducted an investigation into the allegations as received. The findings of the investigation are detailed below with two recommendations for action by the [REDACTED].

**A. Allegation of impropriety by [REDACTED] in connection with the termination of [REDACTED] contract**

5. The allegation indicated that [REDACTED] contract was terminated by [REDACTED] because [REDACTED] refused to follow the instructions of [REDACTED]. Subsequently, OIOS interviewed [REDACTED] and established that [REDACTED] was [REDACTED] under [REDACTED] contract, which started on [REDACTED] expired on [REDACTED]. [REDACTED] further stated that [REDACTED] believed that [REDACTED] contract was not renewed because [REDACTED] objected to [REDACTED] verbal instructions to [REDACTED] on [REDACTED] activities by using [REDACTED] connections with [REDACTED] who attended [REDACTED] and also worked in [REDACTED]. [REDACTED] interviewed by OIOS, concerning this allegation, were unaware of any such instruction ever being given to [REDACTED]. [REDACTED]. When interviewed by OIOS, [REDACTED] denied making such a request of [REDACTED].

6. OIOS reviewed the personnel files of [REDACTED] and established that their respective contracts ended on [REDACTED]. OIOS found no evidence to indicate that any of those contracts had been renewed after that date.

7. OIOS questioned [REDACTED] about [REDACTED] decision not to renew the contracts of the [REDACTED]. In response, [REDACTED] gave several reasons to justify [REDACTED] decision. Firstly, [REDACTED] indicated that [REDACTED] realized that the contracts were poorly drafted and that a memorandum, which indicated that the [REDACTED] were required to [REDACTED] for [REDACTED], was not appended to the contracts. Secondly, the services of the [REDACTED] were no longer required after [REDACTED] no longer had [REDACTED] after that date. Concerning the memorandum mentioned by [REDACTED], OIOS reviewed the contracts of all [REDACTED] and confirmed that the memorandum had in fact been omitted.

8. Furthermore, with regard to the professional performance of [REDACTED], [REDACTED] commented that on one occasion [REDACTED] had observed [REDACTED], who at that time was on [REDACTED] with other [REDACTED], showing a [REDACTED] how to [REDACTED], instead of [REDACTED]. OIOS could not confirm this assertion, as the [REDACTED] that would have been involved had left [REDACTED].

9. Finally, [REDACTED], in [REDACTED] capacity as the form [REDACTED], provided OIOS with information indicating having heard that [REDACTED] had collected the [REDACTED] of [REDACTED] to prove they had been attending [REDACTED], even though they were absent. [REDACTED] further commented that [REDACTED] had performed poorly as a [REDACTED]. OIOS was unable to corroborate both claims.

**B. Allegations of harassment, sexual harassment, abuse of authority and [REDACTED] against [REDACTED]**

10. On [REDACTED], after receiving the [REDACTED] against [REDACTED], [REDACTED] appointed a preliminary investigation panel (the Panel) to address the allegations raised by the [REDACTED].

11. OIOS reviewed the report of the Panel, dated [REDACTED], to ensure that the Panel had addressed all the issues raised by [REDACTED] and the [REDACTED]. OIOS identified that the Panel interviewed staff members with relevant information concerning the allegations, including the complainant, [REDACTED] and representatives from the group of [REDACTED]. Additionally, the Panel gave [REDACTED] the opportunity to explain [REDACTED] account of events raised in the allegations and to present further evidence. While the Panel did not arrive at conclusive findings in respect of the allegations, the Panel found that the complaint was of a serious nature, and it presented sufficient prima facie evidence to merit further investigation.

12. OIOS interviewed both [REDACTED] and [REDACTED] in order to verify the information they had provided to the Panel. The former attested that [REDACTED] behaved improperly towards [REDACTED] and especially made "unwanted sexual advances" to [REDACTED]. These claims were categorically denied by [REDACTED].

13. OIOS questioned [REDACTED] concerning actions that were taken following the issuance of the Panel's report. [REDACTED] explained that [REDACTED] discussed the issues raised in the report with [REDACTED] and that [REDACTED] had again denied having behaved as alleged. Nevertheless, [REDACTED] indicated that as per Staff Rule 110.3 (b), [REDACTED] verbally reprimanded [REDACTED]. In addition, [REDACTED] indicated that the matter was reflected in [REDACTED] where it was stated that [REDACTED] core values and managerial competencies were in need of development.

14. Furthermore, OIOS reviewed [REDACTED] communication, dated [REDACTED] between [REDACTED] then with the [REDACTED] and [REDACTED], which demonstrated that [REDACTED] endorsed the measures taken by [REDACTED] in verbally reprimanding [REDACTED] and appropriately evaluating [REDACTED].

### Conclusion

15. OIOS found no evidence to establish that [REDACTED]'s contract was terminated for improper or biased reasons as claimed. In fact, [REDACTED]'s reasons as to why [REDACTED] did not renew the contract of [REDACTED], and those of the other [REDACTED], are justified by operational requirements. Furthermore, OIOS did not find any evidence to support the allegation that [REDACTED] requested [REDACTED] to [REDACTED] on the [REDACTED]. Therefore, OIOS considers that the allegation against [REDACTED] is unfounded.

16. In respect of the allegations against [REDACTED], OIOS found that [REDACTED] properly investigated the allegations and, in cooperation with [REDACTED], acted within their authority by reprimanding [REDACTED]. Therefore, OIOS considers this matter closed.

### Recommendations

17. Based on the above information, OIOS recommends the following:

Recommendation 1: It is recommended that [REDACTED] notify [REDACTED] that [REDACTED] is cleared of any wrongdoing in the termination of [REDACTED]'s contract [REDACTED].

Recommendation 2: It is recommended that [REDACTED] place a copy of this report in the [REDACTED]  
[REDACTED]

18. The favour of a response as to any actions taken or considered on this report would be greatly appreciated by [REDACTED]. Should you have questions or comments on the information contained in this memorandum, please contact [REDACTED] s  
[REDACTED].

cc: [REDACTED]  
[REDACTED]  
[REDACTED]

