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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*

**REPORT ON INVESTIGATION RELATED TO ALLEGATIONS OF
SECRET ADMINISTRATION OF ILLICIT DRUGS AND
SUBSEQUENT RAPE OF [REDACTED]**

REDACTED REPORT

ID Case No. 0874-06

21 MAY 2007

STRICTLY CONFIDENTIAL

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Table of Contents

I.	INTRODUCTION	1
II.	BACKGROUND INFORMATION	1
a.	Establishment of [REDACTED]	1
b.	Personal Profiles	1
III.	APPLICABLE LAW	2
IV.	METHODOLOGY	4
V.	INVESTIGATIVE DETAILS	5
(i)	Relationship between [REDACTED] and [REDACTED]	5
(ii)	The alleged rape of [REDACTED]	5
(iii)	The consequences of the alleged rape	8
(iv)	The failed attempt for financial settlement and subsequent reporting of the alleged rape to [REDACTED]	9
VI.	FINDINGS	11
VII.	CONCLUSIONS	11
VIII.	RECOMMENDATIONS	12

I. INTRODUCTION

1. On [REDACTED] the [REDACTED] reported to the Investigations Division of the Office of Internal Oversight Services (ID/OIOS) that in [REDACTED] (for confidentiality purposes hereafter referred to as [REDACTED]) had been drugged and raped by [REDACTED] and that [REDACTED] got [REDACTED] as the result of the alleged rape. After an initial review of the matter as received, ID/OIOS commenced inquiries into the reported allegations.

II. BACKGROUND INFORMATION

a. [REDACTED]
2. [REDACTED] was established in accordance with [REDACTED] for an initial period of [REDACTED] beginning on [REDACTED]. [REDACTED] has its [REDACTED] The [REDACTED] financed through [REDACTED] and the estimated [REDACTED]. The [REDACTED] amounts to [REDACTED]. The [REDACTED] is lead by [REDACTED] and it has [REDACTED] out of whom [REDACTED] and [REDACTED] are the [REDACTED].

b. Personal Profiles

3. ID/OIOS conducted a background check on the main players in this incident and the following was established:

(i) Subject - [REDACTED] national, [REDACTED] with [REDACTED] as a [REDACTED] after [REDACTED] fairly positive.

On [REDACTED] of [REDACTED] origin filed a complaint against [REDACTED] for harrasment and blackmail. [REDACTED] convened a [REDACTED] to investigate the complain. Although the complainant withdrew the allegations and [REDACTED] cooperation prior to the conclusion of the inquiry the [REDACTED] nonetheless found that [REDACTED] engaged in activities that impacted negatively on the image of the Organization, which compromised [REDACTED] ability to perform [REDACTED] duties. The inquiry established that [REDACTED] whose professional responsibilities include ensuring that [REDACTED] was indebted to [REDACTED] for [REDACTED] money, putting [REDACTED] in a position of increased susceptibility to bribery.

[REDACTED]

(ii) Subject - [REDACTED] is a [REDACTED] national, an [REDACTED] with [REDACTED] has held [REDACTED] starting as a [REDACTED] in [REDACTED] presently [REDACTED] as a [REDACTED] and since [REDACTED] are continuously very favourable [REDACTED] has been receiving regular [REDACTED]

(iii) Victim - [REDACTED] started [REDACTED] worked initially in [REDACTED] capacity for [REDACTED] the [REDACTED] office with the [REDACTED] Between [REDACTED] and [REDACTED] of a [REDACTED] In [REDACTED] the [REDACTED] issued a [REDACTED] to the [REDACTED] recommending that [REDACTED] is not to be [REDACTED] and this recommendation was accepted by [REDACTED] the [REDACTED] In [REDACTED] received a [REDACTED] for temporary [REDACTED] and between [REDACTED] and [REDACTED] was [REDACTED] as [REDACTED] in the [REDACTED] After a break in [REDACTED] was [REDACTED] in the [REDACTED] as a [REDACTED] was terminated in [REDACTED] when the [REDACTED] ended. Since then [REDACTED] has not been [REDACTED]

III. APPLICABLE LAW

4. [REDACTED] penal code

"OFFENCES AGAINST THE PERSON ACT 1861 - Section 22

Using chloroform, etc., to commit or assist in the committing of any indictable offence.

22. Whosoever shall unlawfully apply or administer to or cause to be taken by, or attempt to apply or administer to or attempt to cause to be administered to or taken by, any person, any chloroform, laudanum, or other stupefying or overpowering drug, matter, or thing, with intent in any of such cases thereby to enable himself or any other person to commit, or with intent in any of such cases thereby to assist any other person in committing, any indictable offence, shall be guilty of felony, and being convicted thereof shall be liable ... to be kept in penal servitude for life ..."

[REDACTED]

"OFFENCES AGAINST THE PERSON ACT 1861 - Section 48

Rape

48. Whosoever shall be convicted of the crime of rape shall be guilty of felony, and being convicted thereof shall be liable ... to be kept in penal servitude for life ..."

OFFENCES AGAINST THE PERSON ACT 1861 - Section 52

Indecent assault upon a female

52. Whosoever shall be convicted of any indecent assault upon any female ...shall be liable, at the discretion of the court, to be imprisoned for any term not exceeding two years, with or without hard labour.

5. Staff Regulations of [REDACTED]

"Regulation 1.2 - Basic rights and obligations of staff

(b) Staff members shall uphold the highest standards of efficiency, competence and integrity. The concept of integrity includes, but is not limited to, probity, impartiality, fairness, honesty and truthfulness in all matters affecting their work and status."

6. Special measures for protection from sexual exploitation and sexual abuse (ST/SGB/2003/13)

"Section 1 – Definitions

For the purposes of the present bulletin, the term "sexual exploitation" means any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another. 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."

"Section 2 – Scope of Application

2.1. The present bulletin shall apply to all staff of the United Nations, including staff of separately administered organs and programmes of the United Nations."

"Section 3 – Prohibition of sexual exploitation and abuse

3.2 In order to further protect the most vulnerable populations, especially women and children, the following specific standards, which reiterate existing general obligations under the United Nations Staff Regulations and Rules, are promulgated:

(a) Sexual exploitation and sexual abuse constitute acts of serious misconduct and therefore grounds for disciplinary measures including summary dismissal;

(d) Sexual relationships between United Nations staff and beneficiaries of assistance, since they are based on inherently unequal power dynamics, undermine the credibility and integrity of the work of the United Nations and are strongly discouraged;"

7. [REDACTED] Handbook

"Rules of Conduct for [REDACTED]

6. [REDACTED] will, at all times, respect the laws, moral codes and traditions prevailing in the host country."

8. [REDACTED] Code of Conduct

"Sexual Misconduct:

8. All personnel are required to adhere strictly to the Secretary-General's zero tolerance policy toward sexual exploitation and abuse.

9. Any form of prostitution, the exchange of money, employment, goods or services for sex, including sexual favors or other forms of humiliating, degrading or exploitative behavior is strictly prohibited.

10. Any other act of sexual misconduct that has a detrimental effect on the image, credibility, impartiality or integrity of the United Nations is forbidden."

IV. METHODOLOGY

9. ID/OIOS conducted preliminary research and subsequent investigation into the reported allegations. The inquiry included collection and analysis of all available information and documents, interview of the alleged victim, interviews with relevant witnesses as well as with the alleged subjects. During the investigation there were a number of difficulties regarding details of the alleged rape. [REDACTED] for instance, reported the matter to [REDACTED] some [REDACTED] after the alleged incident and then [REDACTED] refused to provide crucial information to facilitate the investigation. It should be noted for the record that the identity of the victim and some witness have been withheld in this report, to the extent possible to ensure their confidentiality.

V. INVESTIGATIVE DETAILS

(i) Relationship between [REDACTED] and [REDACTED]

10. ID/OIOS initially focused the inquiry on establishment of the relationship between the [REDACTED] and [REDACTED]. [REDACTED] told ID/OIOS investigators that [REDACTED] started dating [REDACTED] in [REDACTED] and that [REDACTED] met [REDACTED] prior to the alleged rape incident. On their [REDACTED] they went to [REDACTED] who was a [REDACTED] and [REDACTED] spent [REDACTED] they were intimate, but did not have sexual intercourse [REDACTED].

11. According to [REDACTED] some [REDACTED] saw [REDACTED] again. They spent some time at [REDACTED] and [REDACTED] and [REDACTED] went to [REDACTED] where they spent [REDACTED] and engaged in consensual sexual intercourse [REDACTED].

12. [REDACTED] corroborated [REDACTED]'s statement, namely that they dated [REDACTED] and that [REDACTED] met with [REDACTED] and subsequently in [REDACTED]. [REDACTED] also corroborated that [REDACTED] had consensual sexual relationship with [REDACTED] prior to the alleged rape [REDACTED].

(ii) The alleged rape of [REDACTED]

13. [REDACTED] told ID/OIOS that on [REDACTED] at approximately [REDACTED] went to [REDACTED] to meet with [REDACTED]. Since [REDACTED] was late to arrive [REDACTED] had to [REDACTED] for a short time. [REDACTED] alleged that during this time period [REDACTED] made advances towards [REDACTED] attempting to [REDACTED]. [REDACTED] stated that [REDACTED] declined and resisted [REDACTED] efforts and shortly thereafter [REDACTED] arrived [REDACTED].

14. [REDACTED] recalled that sometime during [REDACTED] [REDACTED] asked [REDACTED] if [REDACTED] willing to participate in [REDACTED] with [REDACTED], which [REDACTED] instantly refused [REDACTED].

15. [REDACTED] explained to ID/OIOS that prior to [REDACTED] [REDACTED] had never consumed any alcohol. However, during [REDACTED] [REDACTED] and [REDACTED], who were both drinking [REDACTED], offered [REDACTED] some [REDACTED], which [REDACTED] accepted. [REDACTED] could not explain why [REDACTED] agreed to consume alcohol that particular [REDACTED] some [REDACTED] and by approximately [REDACTED] was so intoxicated [REDACTED] could barely stand. [REDACTED] had to hold on to [REDACTED] and be helped by [REDACTED].

[REDACTED]

██████████ to the ██████████ where ██████████ ██████████
immediately fell asleep ██████████

16. ██████████ awoke at ██████████ found ██████████
lying ██████████ between ██████████ and ██████████ who were in the same
██████████ also ██████████ had a ██████████ and felt ██████████ pain ██████████
██████████ looked and noticed a ██████████ similar to one
caused by ██████████ stated that the ██████████ had some ██████████
██████████ around it, but ██████████ did not know how and when ██████████ sustained it ██████████

17. ██████████ woke ██████████ who could provide no sensible explanation for the
situation. ██████████ went to ██████████ told ID/OIOS that ██████████ could ██████████
had had sexual intercourse during ██████████ as ██████████ discovered ██████████
██████████ but ██████████ had no recollection of what was going on after ██████████
Whilst ██████████ did not find any bruising or bleeding on ██████████ with the
exception of the ██████████

18. ██████████ did not see anything unusual in ██████████ in particular ██████████
did not see any ██████████ that could be used to ██████████ found ██████████ in
the ██████████ but ██████████ did not see the ██████████
in the ██████████

19. ██████████ stated that ██████████ was very upset about the situation and told ██████████
that ██████████ wanted ██████████ ██████████ drove ██████████ to a ██████████ of the
██████████ woke up ██████████ and allegedly told ██████████ what had
happened during ██████████ advised ██████████ to bring the situation to the
attention of ██████████ working as ██████████ decided against
that idea since ██████████ felt ashamed ██████████

20. ID/OIOS requested ██████████ to provide contact information for ██████████
stated that ██████████ moved to ██████████ and ██████████ did not want to be contacted
by ██████████ did not provide the reason for ██████████ refusal, despite the
given guarantees of discretion and confidentiality ██████████

21. ██████████ confirmed to ID/OIOS that ██████████ was ██████████ in arriving at
██████████ on the ██████████ of the alleged rape. ██████████ was already waiting ██████████
and ██████████ left to ██████████ When ██████████ returned to ██████████
sensed tension between ██████████ asked whether something was wrong,

██████████
██████████
██████████
██████████
██████████

but both parties replied [redacted] All of them then [redacted] and [redacted] and [redacted] had some [redacted]

22. At one point [redacted] asked [redacted] to come and sit [redacted] which [redacted] did. [redacted] awkwardly described a subsequent interaction between [redacted] and [redacted] during which [redacted] pulled [redacted] towards [redacted] either in an attempt to [redacted] or to try to [redacted]. When [redacted] pulled [redacted] and said that [redacted] was there for [redacted] not for [redacted].

23. [redacted] told [redacted] to [redacted], which [redacted] did. According to [redacted] then [redacted] and without any prior discussion as to [redacted] performed [redacted] and [redacted] went to [redacted] and [redacted] went to [redacted] where they engaged in consensual sexual [redacted] stated that they discussed the possibility of [redacted] [redacted] asked [redacted] to get [redacted] done and to show [redacted] the results. [redacted] agreed to do so [redacted]

24. [redacted] left the [redacted] at sometime between [redacted] and [redacted] took [redacted] to [redacted] denied that [redacted] was [redacted] upon [redacted] also denied seeing any [redacted] or hearing [redacted] complaint about an [redacted] recalled that during the [redacted] consumed [redacted]

25. [redacted] denied that either [redacted] or [redacted] put any illicit drugs or other substances in [redacted] also denied any knowledge that [redacted] was in [redacted] at any time [redacted] or that [redacted] had sexual intercourse with [redacted]

26. A review and analysis of [redacted] revealed frequent [redacted] usually for [redacted] ID/OIOS established that on [redacted] drove [redacted] between [redacted] and later between [redacted] On both of those occasions [redacted] could have [redacted] to [redacted] However, when questioned by ID/OIOS, [redacted] was unable to explain or recall these [redacted]

27. [redacted] during the interview with ID/OIOS generally corroborated [redacted] account of events in particular [redacted] confirmed that [redacted] performed [redacted] in [redacted] presence in [redacted]

[redacted]

denied, however, that would ever make any form of sexually motivated advance towards

(iii) The consequences of the alleged rape

28. told ID/OIOS that most probably on went to have did not tell anyone at the any details about what had happened The results of the were

29. Despite an ongoing that persisted for the alleged incident, did not take any to check for of any illicit substances in cited as reason for not requesting

30. In the incident repeatedly attempted to contact in order to find out what had transpired on but did not manage for When finally reached threatened with filing a rape complaint if did not tell the truth about the allegedly told that had learned from that and had had sexual intercourse

31. subsequently who denied telling anything to this effect to claiming that in any event it was not true since did not have any

32. stated that at missed and took a which was claimed that got on the which confirmed to that had been raped. Explaining the basis for certainty about the initially asserted that had between the time had had and the was allegedly raped. However, later when asked to review the sequence and timeline of events, retracted this and stated that between the time had with and the time was allegedly raped did not

33. When to tell about expressed scepticism about the but agreed to pay for allegedly avoided for and therefore became frustrated about this situation and advised that would but that would also report for raping Upon hearing this,

[REDACTED]

allegedly pleaded with [redacted] to reconsider, and offered [redacted] asserted that [redacted] decided upon this amount and that [redacted] did not request so much [redacted] but ultimately agreed to [redacted] told ID/OIOS that [redacted]

34. [redacted] stated that [redacted] had [redacted] using [redacted] in [redacted] but [redacted] refused to provide ID/OIOS with any [redacted] or at least the [redacted] reasoned that since [redacted] was not prepared to release the requisite information.

35. [redacted] told ID/OIOS that sometime [redacted] or [redacted] came to [redacted] and spent [redacted] brought [redacted] noted that [redacted] had been taken only some [redacted] Seeing that [redacted] had [redacted] engaged in the consensual sexual intercourse [redacted] believes that [redacted] most probably became [redacted] and [redacted] that [redacted] was approximately [redacted] and that [redacted] had missed [redacted] at the end of [redacted] (approximately [redacted] stated that [redacted] did not show [redacted] any proof that [redacted] believed that [redacted] some time in [redacted] since [redacted] asked if [redacted] would accompany [redacted] This gave some credibility to [redacted] claim. [redacted] did not accompany [redacted] stated that [redacted] promised to [redacted] such a [redacted] only because [redacted] threatened to report [redacted] to [redacted] for getting [redacted] denied that there would have been any other reason/s as the basis for the threat to [redacted]

(iv) The failed attempt for financial settlement and subsequent reporting of the alleged rape to [redacted]

36. [redacted] stated that [redacted] failed to [redacted] as agreed and therefore in frustration [redacted] asked for the help of [redacted] in settling the [redacted] approached [redacted] for [redacted] sometime at [redacted]

37. [redacted] maintained that the [redacted] sought [redacted] [redacted] told [redacted] only that [redacted] owed [redacted] and [redacted] needed help in [redacted] an agreement between the parties, which was [redacted] and remittance of [redacted]) to [redacted] at the [redacted]

[redacted]

and commitment to (approximately
by

38. In called asking to meet
Upon arrival, discovered that
had no Later called who put
in touch A meeting was
scheduled for

39. stated that had known for They met whilst
they both worked considers to be a who had
previously sought advice from confirmed to ID/OIOS that in
told that owed At that time
believed the to be related to told ID/OIOS that
had inquired with who confirmed that owed

40. related that in started calling on the
e to tell had not yet paid the balance owed This
struck as odd, so asked to come and When did,
asked if there was more to the situation than what had said, because the
seemed excessive. then told in detail about the alleged rape.
recalled that initially told that gave and after
lost consciousness. later admitted to that had
accepted some during

41. advised to speak to about the matter.
However, was not willing to report the incident at that time. told that
there was nothing else that avoided the meeting with
until confronted and insisted that had to talk to the

42. stated that on in gave
a sum of At that time an agreement
saying that the balance of the sum owed would be paid at
During called repeatedly looking for
Finally, on invited to and
agreed to come. denied the notion that had told to come to receive
did not have that still owed told that

[REDACTED]

█ would pay █ They had █ spent █ during which they had consensual sexual intercourse █

VI. FINDINGS

43. ID/OIOS established that █ and █ were socially acquainted prior to the alleged rape on █. Further █ and █ agreed that they had engaged in consensual sexual intercourse on several occasions prior to the alleged incident.

44. The precise sequence of events leading to the alleged rape are unable to be ascertained due to the conflicting and inconsistent statements provided by █. █ did not make an official report of the alleged incident at the time and █ did not seek any █

45. ID/OIOS established that on █ entered into a financial arrangement with █ to facilitate the █, however, █ failed to █ upon the insistence of █ initiated the rape allegations against █

46. ID/OIOS found that the failure of █ to report the case in a timely manner resulted in the loss of critical crime scene forensic material and corroborating █. █ withheld relevant details pertaining to the witness to whom █ first relayed the incident and the █ which performed the alleged █. As such there was no █ obtained to support █'s assertion that █ was illicitly administered drugs or sexually molested.

VII. CONCLUSIONS

47. ID/OIOS did not find sufficient evidence to support the allegation made by █ that █ had been drugged and raped by █

48. The █ Code of Conduct does not expressly prohibit sexual relationships between staff members and █, however, █ sexual relationship with █ represents conduct, which is "*strongly discouraged*" by the Organization, as it is based on inherently unequal power dynamics and it undermines the credibility and integrity of the work of the United Nations as stipulated in paragraph 3.2.(d) of ST/SGB/2003/13.

VIII. RECOMMENDATIONS

49. In view of the preceding findings and conclusions, ID/OIOS makes the following recommendations:

Recommendation 1: It is recommended that [REDACTED] and [REDACTED] advise [REDACTED] and [REDACTED] that the allegations brought against them by [REDACTED] for secret administration of illicit drugs and [REDACTED] subsequent sexual molestation were not substantiated and therefore they should be cleared of any wrongdoing in this respect. [REDACTED]

Recommendation 2: It is recommended that [REDACTED] advise [REDACTED] that [REDACTED] sexual relationship with [REDACTED], which was based on inherently unequal power dynamics and which undermined the credibility and integrity of the work of the United Nations, is strongly discouraged, as per ST/SGB/2003/13. [REDACTED]

Recommendation 3: It is recommended that [REDACTED] review the [REDACTED] Code of Conduct in line with United Nations policies regarding sexual relationships between United Nations staff members and [REDACTED] as outlined in ST/SGB/2003/13. [REDACTED]

Recommendation 4: It is recommended that [REDACTED] organize training for all United Nations staff serving with [REDACTED] related to cultural awareness, proper conduct of international civil servants as well as prevention of sexual exploitation and abuse. [REDACTED]