



FOR RELEASE – AUGUST 4, 2005 – 4 PM

**Sevan's Counsel Assails IIC's False and Pre-Ordained
Conclusions; Agenda of IIC is to Scapegoat Sevan to Deflect
Attention**

"The conduct of the Independent Inquiry Committee ('IIC' or 'Committee') headed by Paul Volcker has reached a point where it is no longer useful to attempt to respond internally to the IIC's insupportable and biased findings against former Under-Secretary-General Benon V. Sevan," said Mr. Sevan's attorney, Eric Lewis of Baach Robinson & Lewis PLLC. "They have been out to scapegoat him from the beginning," Lewis stated. "The IIC is unaccountable to anyone; some of its own staff do not trust its objectivity and have resigned; and now the IIC tries to change the subject again by falsely attacking Benon Sevan's integrity. The fact is, the Committee's allegations are baseless. Mr. Sevan never took a penny, as he has said from the beginning." Lewis issued an 11-page statement describing in detail the long history of pre-judgment, violations of due process, and incompetent investigation on the part of the IIC. Also released were extensive correspondence between the IIC and Mr. Sevan's lawyers.

Mr. Sevan has been advised that, in a report due to be released on Tuesday, August 9, but about which the IIC has been leaking for weeks, the IIC intends to make a new adverse finding against Mr. Sevan. The Committee alleges that Mr. Sevan took money from a contractor that bought oil from Iraq under the Programme. Although the Committee is required by its Investigations Guidelines to provide the person accused of wrongdoing in advance with the information upon which its charges are based, the Committee has only provided vague categories of information supposedly underlying its charge, such as "financial documents."

The IIC's charge is entirely without factual basis, but how does one respond to the alleged evidence when it is not provided? The Committee's approach makes a mockery of due process and plainly is not calculated to provide Mr. Sevan with a meaningful opportunity to respond. This is only the latest in a long progression of tactics that belie any pretense of objectivity or evenhandedness on the part of the Committee. The IIC is and since the beginning of its efforts has been on a mission to scapegoat Mr. Sevan in a misguided attempt to spare the United Nations criticism and deflect attention away from the conduct of others.

The Committee will also state in its report—falsely—that Mr. Sevan has not cooperated with its investigation. In fact, Mr. Sevan has met with the Committee on a number of occasions, once for a formal interview lasting several hours. He has provided all Programme-related, financial, real estate, and other relevant documents requested by the Committee. He has disclosed all of his bank accounts. He has executed authorizations in blank—twenty-six of them—permitting the Committee to obtain whatever information it wishes from every financial institution with

which he has done business. He has, in short, made his professional and financial life, as well as those of his family, an open book for the Committee. Mr. Sevan has also offered to answer any and all written questions, which would allow the Committee to obtain the information it needs in an atmosphere free of concern that any small misstatement or minor memory lapse would be seized upon as evidence of deception, as the IIC has unfortunately done to date—in notable contrast to its handling of similar lapses by other witnesses. In any event, the Committee, which purports to be conducting a thorough investigation of the Oil-for-Food Programme, has not propounded a single question to Mr. Sevan pursuant to this offer.

Notwithstanding Mr. Sevan's openness and cooperation with the IIC, the Committee set out from the beginning of its politically-charged investigation to sacrifice him in a misguided attempt to deflect attention and placate the UN-bashers. Rather than presenting the bases for the Committee's suspicions forthrightly to Mr. Sevan for his response, the IIC has sought at every turn to conceal its evidence and engage in ambush tactics. The IIC staff questioned Mr. Sevan about a few telephone calls years ago lasting less than one minute (assuming they even went through to him) and questioned his integrity when he did not remember the calls. The Committee has placed needless restrictions on Mr. Sevan's access to documents and has relied heavily in reaching its findings on interviews of jailed former members of the Saddam Hussein regime which have not been disclosed to Mr. Sevan or his counsel, making the IIC the only office affiliated with the United Nations that has indulged in the use of "secret evidence," a practice that no U.S. court or other legitimate adjudicative body would tolerate. Given the recent history of US interrogation of suspects in Iraq and elsewhere, reliance on unidentified captive informants, without affording Mr. Sevan any opportunity to rebut their evidence or even to know what it is, is wholly unsatisfactory and brings discredit on both the IIC and the United Nations.

Finally, the IIC accuses Mr. Sevan of taking money, when he fully and voluntarily disclosed cash gifts that he received—from the elderly aunt who raised him—on his UN financial disclosure forms years before the IIC even existed. Now, the IIC contends that these gifts were really kickbacks paid by a contractor "in concert with" a friend. There is no basis for this false allegation. It is undisputed (and corroborated) that the contract in question was entered into before Mr. Sevan even met the contractor. There is no evidence to show and it is not credible to argue that Mr. Sevan, who spent forty years with the UN and ran a \$64 billion program, would jeopardize his career for \$160,000; trust a person he had never met to carry out the scheme; and report the proceeds on his UN financial disclosure forms. It never happened. But the IIC is not accountable to anyone, is not held to the standards of a responsible prosecutor, and has no interest in subjecting its defamatory speculations to adversary testing. The IIC wants cartoon villains, not the truth.

On behalf of Mr. Sevan, we reiterate what he said at the outset of this investigation: the charges against him are false, and he has never taken a penny from anyone.

Eric L. Lewis
Baach Robinson & Lewis, PLLC
Counsel to Mr. Sevan
Contact: eric.lewis@baachrobinson.com
202.833.8900