

**Note to the Secretary General**

1. On 24 May 2004, I sent you a preliminary report on the complaint against Mr. Ruud Lubbers, of misconduct involving sexual harassment. OIOS has since completed the investigation into this complaint and the report is attached.

2. OIOS has concluded that the allegation against Mr. Lubbers is substantiated in that Mr. Lubbers did engage in unwanted physical contact with the complainant, a subordinate female staff member. New allegations that came to OIOS' attention during the investigation, were also examined and indicate a pattern of sexual harassment by Mr. Lubbers. OIOS is also of the view that Mr. Lubbers abused his authority as High Commissioner by his intense, pervasive and intimidating attempts to influence the outcome of this investigation.

3. OIOS recommends that appropriate action be taken against Mr. Lubbers for misconduct and abuse of authority as set out in the attached report.

4. I am ready to provide any further clarifications on the report should you deem it necessary.



Under-Secretary-General  
for Internal Oversight Service  
2 June 2004

**REPORT OF INVESTIGATION INTO MISCONDUCT AND  
ABUSE OF AUTHORITY AT UNHCR**

I. Executive Summary

1. The Investigations Division of the Office of Internal Oversight Services [OIOS] received a complaint from Mrs. [REDACTED] a staff member of the Office of the United Nations High Commissioner for Refugees [UNHCR], who alleged that she had been sexually harassed by Mr Ruud Lubbers, High Commissioner, UNHCR, and was subsequently harassed by Mr. Werner Blatter, Director, Division of Human Resources Management [DHRM], UNHCR.

2. Mrs. [REDACTED] addressed a copy of the same complaint to the Inspector-General's Office, UNHCR [IGO]. However, given that one of the allegations involved the highest-ranking UNHCR official, the IGO, as per its terms of reference, was precluded from initiating an investigation into the matter, and OIOS became responsible for handling the case, but with assistance as necessary from the IGO. Given the nature of the complaint, OIOS opened an investigation under its terms of reference, of misconduct and abuse of authority by Mr. Lubbers and Mr. Blatter.

3. The misconduct alleged involved sexual harassment both in conduct and in words. The abuse of authority involved actions on the part of Mr. Lubbers after he was notified of the details of the complaint by the UNHCR Inspector General on 6 May 2004.

4. In her complaint, Mrs. [REDACTED] alleged that on 18 December 2003, at the end of an official meeting held in the UNHCR office of Mr. Lubbers, which was attended by five other male colleagues, Mr. Lubbers engaged in inappropriate and unwelcome sexual conduct which included physical contact of a highly personal nature with her.

5. Mrs. [REDACTED] also alleged that following the meeting, Mr. Blatter referred to the conduct of Mr Lubbers and then attempted to replay the same conduct, much to her embarrassment and chagrin. Mrs. [REDACTED] further alleged that a few days later when she and her colleagues were waiting outside their UNHCR offices, Mr. Blatter again referred to the behaviour of Mr. Lubbers and tried to grab her.

6. Messrs. Lubbers and Blatter denied that they had engaged in the conduct alleged by Mrs. [REDACTED]. However, OIOS found that the allegations of Mrs. [REDACTED] were credible, and based upon the overall evidence adduced during its investigation, OIOS has concluded that Mr. Lubbers had engaged in serious acts of misconduct and abuse of authority and that Mr. Blatter had engaged in acts of misconduct in this case.

7. In the course of this investigation, OIOS was apprised of several other cases of Mr. Lubbers engaging in misconduct involving UNHCR staff or women closely affiliated with UNHCR. In at least four of these cases, OIOS has interviewed the women concerned and corroborated the incidents with others in whom they had confided. These cases indicate a pattern of such misconduct on the part of Mr. Lubbers.

8. The purpose of this report is for the Secretary-General to be provided with the detailed findings of the OIOS investigation and recommendations for appropriate action in response to these findings.

## II. Methodology

9. Upon receiving the complaint of Mrs. [REDACTED] OIOS dispatched two Investigators to Geneva for a preliminary assessment of the matter. Following an initial interview of the complainant and upon obtaining additional information, OIOS determined that a formal investigation into acts of misconduct and abuse of authority was warranted.

10. The investigation included interviews with current and former UNHCR staff members and other persons, with some interviewed more than once in order to ensure accuracy, completeness and fairness, and the collection of relevant documentary evidence.

11. Given the seriousness and sensitivity of the allegations and the position of the persons involved, all interviews with UNHCR staff members based in Geneva, except the one with Mr. Lubbers which was held in his office, were conducted outside the premises of UNHCR, to protect confidentiality and provide privacy and anonymity, as necessary. Additionally, telephone interviews were conducted with persons who were not present in Geneva and who possessed relevant information for the investigation. The Investigators were especially careful in their contacts with staff members and others, and in the protection of case files.

### III. Background information

12. Mrs. [REDACTED]

13. Mrs. [REDACTED] has worked extensively with and on UNHCR Staff Council related matters and has chaired the Panel on staff career development. She has also served as a member of the Joint Advisory Committee [JAC], a principal consultative body created in 1990 which calls for the establishment of appropriate joint staff-management machinery and advises the High Commissioner on questions related to staff administration, human resources policies and general questions of staff welfare. In October 2003, Mrs. [REDACTED] ran for the position of Staff Council Chairperson. She lost by one vote to the current incumbent, Mr. Joseph Hegenauer, but remains active in the Staff Council.

14. On 18 December 2003, at around 15:00 hours, a JAC related meeting was held in the office of Mr. Lubbers. In attendance were Mr. Lubbers, Mr. Athar Sultan-Khan, his Chef de Cabinet and Mr. Werner Blatter, his Director, DHRM as well as, in the capacity of Staff Council members or experts, Mr. Hegenauer, Mrs. [REDACTED], Mr. Abid Mir and Mr. Kandiah Vanniasingam.

### IV. Investigative Details

15. In her complaint dated 27 April 2004, sent to OIOS and to the Inspector's General Office of UNHCR, Mrs. [REDACTED] alleged that at the end of the above-mentioned meeting, she had been sexually harassed by both Messrs. Lubbers and Blatter.

16. Her allegation against Mr. Lubbers is that at the end of the 18 December meeting, Mr. Lubbers placed his hands on Mrs. [REDACTED] waist, pulled her back towards him, pushed his groin into her buttocks and held her briefly in that position before releasing her.

17. Her allegation against Mr. Blatter is that, using a tone and an attitude of amusement, Mr. Blatter tried to replay the incident between Mrs. [REDACTED] and Mr. Lubbers. The first time was on 18 December 2003, when shortly after the meeting held in the office of Mr. Lubbers, he joined Mrs. [REDACTED] and her colleagues, raised the incident between her and Mr. Lubbers and moved towards her to replicate it. The second time was a few days later when he joined Mrs. [REDACTED] and her colleagues outside their offices, in the elevator area, and while referring again to the same incident, unsuccessfully tried to grab her.