



21 September 2017

Ms. Heidi Mendoza
Under-Secretary-General for Internal Oversight Services
Office of Internal Oversight Services (OIOS)
United Nations Secretariat
One United Nations Plaza
New York, NY 10017

Dear Under-Secretary-General Mendoza:

On 13 September, we issued a package of materials detailing egregious failings in the United Nations' response to sexual exploitation and abuse complaints lodged against military peacekeepers serving in the UN mission in the Central African Republic, MINUSCA.

Fourteen case files were leaked to us by a UN source. They reveal an investigative process that grossly neglects the rights of victims and offends basic standards of justice.

During the media briefing on 14 September, the UN spokesman in New York said, "Our colleagues at the UN mission in the Central African Republic are reviewing and will transparently report" on the investigative lapses identified by the Code Blue Campaign report.

On the following Monday, 18 September, the UN spokesman added that the review was being conducted by MINUSCA "with the support of OIOS," the Office of Internal Oversight Services.

As you know, the most senior levels of MINUSCA military leadership are implicated in the investigative failings we have identified.

Assigning MINUSCA to lead such a "review" appears to run contrary to UN procedure. Even the most rudimentary involvement by MINUSCA in a review of the handling by MINUSCA of relevant facts, files and evidence will compromise rather than contribute to a bona fide investigation.

In 13 of 14 cases we disclosed, Captain Emmanuel Kenfack, who is the Force Provost Marshal of UN Military Police in MINUSCA, forwarded the files to a senior officer—either the acting Force Commander (Major Daniel Sidiki Traore or Major General S M Shafiuddin Ahmed) or the Force Commander (Lieutenant General Balla Keita). In each of the 13 cases, either the acting Force Commander or the Force Commander made handwritten notations on the files, indicating full awareness of the contents within.

Any attempt to pin the investigative lapses on a rogue element within MINUSCA would be contrary to the evidence.

The Office of Internal Oversight Services is responsible for investigating reports of misconduct and mismanagement within the UN system. OIOS was created as an independent entity charged with investigating the kind of wrongdoing disclosed by our release. It seems obvious that MINUSCA, which cannot be an independent arbiter in this matter, should immediately have been severed from any role in conducting an inquiry.

Clearly, it is not enough for OIOS to conduct an inquiry into MINUSCA's mishandling of the cases and to "transparently report" on its findings. The UN must guarantee the rights of the victims whose complaints were not properly investigated in the first place.

In his most recent press conference, Secretary-General António Guterres said his "main concern was with the victims" of sexual exploitation and abuse.

It is incumbent upon OIOS to conduct a serious, impartial, thoroughgoing and *independent* investigation into MINUSCA's failures. But what process will then be followed—when and by whom—to re-open the mishandled cases and ensure that justice is served?

We look forward to your response.

Sincerely,



Paula Donovan
Co-Director, AIDS-Free World



Stephen Lewis
Co-Director, AIDS-Free World

Cc: Mr. António Guterres, Secretary-General, United Nations