

Email from Prashanti Tiwari to UN Secretary-General António Guterres

Date: Fri, Sep 28, 2018

Subject: Urgent letter - Ongoing case of Sexual Harassment by your Representative

Dear Mr. Secretary General,

I am once again attaching an urgent letter for your urgent review, about an ongoing case of sexual harassment and assault by your Representative to India for UNFPA, Diego Palacios.

Despite your public commitment to meet individually with victims, ironically I have received no adequate response to my August 14 letter requesting for you to meet with me (as a victim), aside from dismissive responses from your staff. This has left with no recourse but to try to appeal to you through public channels.

I am now re sending my September 13 letter as an open letter, to plead with you to meet with me when you are in India next week. To much dismay and distress, you have not fulfilled your public commitment to meet individually with victims. If you are unwilling to honor this commitment in my case, please give me at least the dignity of a reply.

Thank you
With regards
Prashanti

Dear Mr. Guterres,

I acknowledge receipt of the letter sent by Mr. Arnab Ray, the Director of your Executive Office as a response to my letter to you dated 14 August 2018, wherein I had specifically requested a meeting with you. I asked for that meeting because in February 2017, in your report to the General Assembly, you stated:

"I intend to provide victims a platform for their voice that the world will not be able to ignore. **I will meet personally with victims to hear from them directly.** I will let these survivors know that their protection is our priority and that going forward, the United Nations will be at their side to support them as they go through the healing process and rebuild their lives." (*emphasis added*)

I also acknowledge receiving the short email that followed Mr. Ray's letter, this time sent by Ms. Karen Lee, from the office of Ms. Martha Helena Lopez, Under-Secretary General for Human Resources Management, setting a specific date and time (11 AM Eastern) for me to meet with her or call her in New York. Ms. Lee confirmed that the message was in response to my letter to you. I doubt that it's necessary for me to explain to you how deeply offensive that email was.

The meeting I requested would have given me the opportunity to explain to you - in person - the trauma I had faced not only as a victim but also as a whistleblower reporting the incident. The meeting would also have given me the opportunity to underline before your good self, a person who has stated that he is so committed to uproot sexual abuse and harassment in the United Nations, how deeply flawed, regressive and patriarchal policies at the UN have impeded me from securing justice. The response to my request makes me wonder if your refusal indicates fear or an unwillingness to understand a victim's perspective. Understanding what I have been through is a *sine qua non* to your understanding of how your antiquated policies hurt victims. Mr. Guterres, why have you refused to meet with me? Why am I denied "a platform" for my voice? Why is my safety, my healing process, my fight for justice, not your priority?

At the very outset I wish to set your mind at peace that my struggle for justice is neither for any material gains from the UN nor for any other benefits. My only motive, clearly demonstrated through my actions, is justice. I believe in your public commitments that no women, not the least in the UN, should suffer in silence for sexual assault or harassment, and that the UN should set exemplary standards in dealing with such cases transparently and objectively. Victims should be confident to come forward without having to fear unfounded 'reputational risks' and knowing that speaking up will make a difference.

Mr. Guterres, a murder kills the physical body of the victim but a sexual assault kills the soul. Sexual assault and harassment destroys the whole person of the female victim, kills her self-esteem and psychological and mental well-being. As a female victim I have lived these moments, and confront disturbed menstrual cycle, black-outs and shakings each day, Mr. Guterres. These feelings cannot be understood by men who share the same privileged position as those men who violate our physical integrity in their pursuit of power over us. Those men who, when confronted, use their power to turn our allegations against us by questioning our chastity and ridiculing our complaints. This is what Diego Palacios has done to me, and there is no dispute about these facts.

The response from your executive office referred to UNFPA's internal OAS report that **unsubstantiated** my allegations, through a partial investigative process, depriving me in the process even of the status of a survivor of sexual assault and sexual harassment.

The partial probe by internal investigators like those used by UNFPA should not be conclusive. They faced 'uncooperative witnesses', they refused to interview my witnesses, and failed to appreciate the context of the alleged crime. They found that Diego Palacios invited me to a hotel, had an *impromptu* and unexplained visit to my office, rode with me in an elevator that was the site of the assault and where multiple witnesses corroborated seeing me in tears, and in fact had, on a previous occasion, physically touched my hands in a culturally unacceptable way. The investigators placed me at the scene, in the circumstances that would have allowed the assault, with nothing to contradict my allegations. Mr. Guterres, the conclusion by UNFPA that my claims were unsubstantiated, despite establishing the facts, is a result of the antiquated and regressive disciplinary and sexual harassment policies in various funds and programs of United Nations: they require direct evidence to prove an act committed surreptitiously where there is no other witnesses than the female victim herself. Perpetrators take advantage of this system. Palacios has taken advantage of this system. And moreover, the report of the internal investigators has no relevance in the ongoing criminal proceedings. Legal

proceedings have evolved away from this mentality of suspicion of the victims. Inferences have to be drawn from a given set of facts and circumstances and use modern methods and modern burdens of proof that guarantee fair trials and due process – including for the victims. That is why, Mr. Guterres, I did not ask for this UN investigation. I want my day in court.

The internal UNFPA report thoroughly documented Palacios' contradictory statements, his lies and his hiding relevant information and yet, they recommended no action against him. This culture of tolerance and silence, of deference to the men accused, makes it easy for them to break rules and assures them that when they commit sexual assault or harassment, there will be no consequence. Perpetrators like Palacios take advantage of the silence, and of the unreasonable burden placed on me as a victim who has met with unreasonable suspicion and prejudice.

Mr. Guterres, globally women campaigners were watching you initiating 'reforms' and were at the least expecting reform of the policies against which sexual assault and harassment are investigated within UN. If you discount the experience of victims such as myself, you reinforce a power structure that silences survivors and makes it less likely that more come forward. By burying my case, you will bury the voices of many more women who will see their worst fears confirmed. You have the power to change that course, to determine whether my voice is heard, and whether my case gets a fair and just hearing. I believed you when you made your promises Mr. Guterres; I came forward, I spoke up, and I was penalized for it. I am counting on you to stand for me now.

I am asking again for a meeting with you so that you may better understand my side of my story.

I have endured much pain and much suffering in the course of my assault and harassment, the retaliation meted out against me, the secondary assaults on my character, and the indignity of being forced to comply with a UN probe into my case that was hopelessly stacked against me. Now my voice is being silenced by the UN, in the courts and in answer to my request to you, and that is the final, and worst injustice I could now face.

Requesting your urgent attention to my request.

Sincerely

Prashanti Tiwari

13 September 2018