



12 February 2018

António Guterres
Secretary-General of the United Nations
UN Secretariat
One United Nations Plaza
New York, NY 10017

Dear Mr. Secretary-General,

On 5 February, we called for an external, neutral, and independent body to review the so-called investigation into the sexual assault and harassment allegations made against Assistant Secretary-General Luiz Loures, UNAIDS' Deputy Executive Director of Programme.

To be clear, a UNAIDS employee reported that she was sexually assaulted by a senior UN official appointed by you, Mr. Secretary-General.

We mentioned—but did not describe in detail—the bizarre intrusion in the case by the Executive Director of UNAIDS, Michel Sidibé.

On Friday 9 February, UNAIDS reacted to the objections we raised by issuing a press release that attempted to clarify the procedure that UNAIDS used in dismissing the case against Luiz Loures.

We write to offer a clarification of the clarification and to renew our call, in the immediate term, for an entirely independent, external inquiry into the stomach-churning allegations against Luiz Loures.

The UNAIDS press release states that upon formal receipt of the complaint against Luiz Loures in November 2016, Mr. Sidibé referred the case to the Office of Internal Oversight Services (IOS) for the World Health Organization, which began an investigation in December 2016.

“During the course of the investigation the IOS interviewed several people, including the UNAIDS Executive Director,” according to the press release.

This statement doesn't begin to tell the full story.

The claimant stated that while the formal investigation was underway, Mr. Sidibé approached her to say that Luiz Loures would like to apologize and to suggest that he himself would facilitate a meeting

between accuser and accused, thus putting the whole issue to rest. Appalled and offended by Mr. Sidibé's attempt to informally resolve the case and halt the investigation, the claimant refused and reported Mr. Sidibé's interference to IOS.

When brought in for questioning by IOS, Mr. Sidibé denied that Luiz Loures confessed to him, and he told conflicting stories about why he had broached the meeting idea with the claimant. First Mr. Sidibé told IOS that Luiz Loures suggested he intercede with the claimant. "He [Loures] told me clearly that it will be better if we could really make sure that three of us, we could meet to clarify these issues, and not make it a big problems [sic]," Mr. Sidibé said. Then, in a subsequent interview with IOS, Mr. Sidibé said he decided to approach the claimant without Luiz Loures' knowledge.

The press release continues: "The UNAIDS Executive Director recused himself from the final decision-making role in the case to avoid any perception of a conflict of interest. Instead, the UNAIDS Executive Director delegated authority over the case to the Deputy Executive Director for Management, a.i.," Joel Rehnstrom.

It hardly counts as a recusal for Mr. Sidibé to delegate his duties to a subordinate who, at the time, was not only his personally selected interim Deputy Executive Director for Management but was also a candidate for official appointment to the position. Further, Mr. Rehnstrom was a close colleague of Luiz Loures.

We fail to see why this case was not removed from the purview of UNAIDS altogether. As you know, Mr. Secretary-General, the claimant wrote to you directly, asking that you assume the responsibility for making the final decision in the case.

The press release says that IOS concluded the investigation, determined that the allegations against Luiz Loures were "unsubstantiated," and recommended that the case be closed. Upon receipt of the investigation report, Mr. Rehnstrom "requested the Chair of the standing Global Advisory Committee on Harassment to constitute a panel to review the report and to make recommendations to him."

The press release does not mention that all three members of the Global Advisory Committee are UNAIDS employees in a chain of command that ultimately reports to the Executive Director of UNAIDS, Mr. Sidibé.

The IOS conclusions are damning.

IOS "found it perplexing" that Mr. Sidibé stated he did not seek Luiz Loures' agreement for broaching the meeting idea prior to making that suggestion to the claimant.

IOS "found it perplexing" that Mr. Sidibé approached the claimant to suggest a meeting given that he "was aware at the time that the matter was under official investigation by IOS, having referred it to IOS himself in November 2016."

In addition, IOS "found it perplexing" that Luiz Loures didn't ask Mr. Sidibé what Mr. Sidibé had discussed with the claimant, "especially given that Dr. Loures had been interviewed as a subject of allegations of sexual harassment and sexual assault approximately one month earlier."

IOS said the statements by both Mr. Sidibé and Luiz Loures contained "inconsistencies and anomalies."

The UNAIDS press release concludes by stating that the Global Advisory Committee "fully concurred with the findings and recommendations of the independent investigation and recommended" to Mr. Rehnstrom "that he close the case." He did so.

Mr. Secretary-General, we have been reluctant to use the phrase "cover-up" in relation to the Luiz Loures case. But it is becoming harder to avoid the conclusion that the Executive Director of UNAIDS knew the truth about Luiz Loures' shocking behavior toward a female subordinate. We are beginning to believe that Mr. Sidibé did everything in his power to protect his friend and colleague from the consequences of his actions.

The UN internal "justice" system, we have long argued, is dysfunctional and biased. UNAIDS is not an exception; it proves the rule.

This latest case to hit the media underscores the urgent need for Member States to divest the UN Organization of any involvement in handling claims of sexual exploitation, sexual abuse, or sexual harassment made against its own personnel. Full responsibility must be given by Member States to an entirely neutral, external, and truly independent body.

Sincerely,



Paula Donovan
Co-Director, AIDS-Free World



Stephen Lewis
Co-Director, AIDS-Free World