

Strictly Confidential

I was approached by Cecile Aptel, my senior legal advisor from my front office, in the Autumn of 2014, who told me of a document sent from MINUSCA – mistakenly, I heard her say “MINUSMA” – which covered an investigation into sexual abuses committed by (non-UN) French soldiers against minors, that apparently was leaked from (not one but possibly two sources) within OHCHR to the French authorities. The investigation into the alleged abuses, had been co-conducted by an OHCHR staff member in MINUSCA ([REDACTED]) and the report leaked to the French contained the names of witnesses/victims and the investigators – normally all redacted – which was especially dangerous for the victims in the camps. All of this – quite aside from the deeply disturbing allegations of sexual abuse – was alarming, although she did not know who had leaked the document.

On 6 March 2015, in the early evening, Mohammad al Nsour (who is acting senior legal advisor while Cecile Aptel is away on leave) approached me to say he and Nicole Oberholzer (who works with Cecile Aptel and in her absence with Mohammad al Nsour) had been on the phone with [REDACTED], and both of them heard her recall the conversation she had had with the French criminal investigator, who had told her the (leaked) document had been sent to the French authorities by OHCHR, specifically Anders Kompass, whose signature was on the letter. The document – as we knew -- contained the names of the young victims/witnesses to the alleged abuses. Since I was travelling to the United States the following day, I asked him to raise it with DHC Flavia Pensieri, and that I would attend to it as soon as I returned from Washington D.C.

Upon my return to Geneva on 11 March 2015, I brought up the issue with DHC Flavia Pensieri, who had already been briefed by Mohammad al Nsour, and I asked her to raise it with Anders Kompass. In the meantime, I asked Mohammad al Nsour to ask [REDACTED] to put down in writing what she had said to both him and Nicole Oberholzer.

On the 13 March 2015, DHC Flavia Pensieri conveyed to me her conversation with Anders Kompass, whereupon he did not deny he had leaked the document to the French rather, he admitted to it. But, speaking emotionally and defensively, Anders Kompass was claiming whistleblower status. I told DHC Flavia Pensieri, given the seriousness of the situation, and that we would be seeing the CdC Susana Malcorra and other senior colleagues at the SG's retreat in Turin, it would be best to brief them in person.

Following the Turin meeting, on Monday 23 March 2015, DHC Flavia Pensieri told me she conveyed the request to both [REDACTED] and to Anders Kompass, to put into writing their actions concerning the case (I had already asked Mohammad al Nsour to ask [REDACTED] for the same). According to Flavia

Pensieri, Anders Kompass, who thought OHCHR would be "throwing him into the lake", seemed pleased with the request and said he would abide by it.

That same morning, Monday 23 March 2015, I had a meeting with the French Ambassador (at his request to discuss another matter) in which I raised this issue with him. He said, yes, in July 2014, he had a private meeting with the then HC Navi Pillay in her office, with only his deputy attending (and no one from her side) at which point she passed over the document to him.

I spoke to Navi Pillay by phone the following day on 24 March 2015 and asked her whether she remembered meeting the French ambassador (in reference to alleged sexual abuses against minors in MINUSMA) and she said no. And, in a case like this, she would have remembered it.

That same day, the 24 March 2015, I discovered the office records (her schedule) showed she was right: no meetings took place between the French ambassador and HC Navi Pillay in her office the whole month of July 2014 or indeed the first half of August 2014.

DHC Flavia Pensieri came to see me later on the 24 March 2015 and said Anders Kompass was objecting to writing down his version, given it would be used in an investigation against him. But she would try and convince him to do otherwise. She also added the Swedish ambassador was concerned (having heard from her? Anders Kompass?) and had intimated if we took action against Anders Kompass, it may affect Swedish funding to the office.

That evening – the 24 March 2015 -- I attended a dinner at the residence of the German ambassador in honour of the DSG Jan Eliasson and, at the end of the dinner, the Swedish ambassador approached me and asked about the case, saying he had heard something about Anders Kompass being a whistleblower and the damage this could do to the OHCHR if it all became public. I explained the situation, saying to him it did not seem to fit with a whistleblower-type scenario, without going into further details.

The following day, the 25 March 2015, as I was being driven to work in the morning, I noticed DHC Flavia Pensieri speaking to the Swedish ambassador on a side street leading to the office, with the Swedish ambassador dressed casually, all of which, struck me as being odd. Why did they not meet in her office? Or why did he not ask to see me, if he wanted to follow up on the previous day's conversation?

DHC Flavia Pensieri and I then met that morning (25 March 2015) after our regular director's meeting. She mentioned the encounter with the Swedish Ambassador on the street only in passing and without going into details. DHC Flavia Pensieri also wondered if we had been speaking of the right context and was it not the CAR where the events occurred and not Mali? A further short phone discussion with the French ambassador that morning, confirmed the mistake on my

part. He said that after our face-to-face discussion on the 23 March 2015, he had checked with his authorities and could not find anything on Mali but that, yes, on the CAR there was communication between Navi Pillay and himself.

Later in the day, I spoke to Navi Pillay over the phone, and told her of my mistake – confusing MINUSCA with MINUSMA -- at which point she also said, yes, on the Central African Republic, she did remember a meeting between herself and the French ambassador in the summer, although she said she would not have been alone in the meeting. There would have been someone from her office there too.

I told her the front office records (her schedule) show there was no meeting as having taken place with the French ambassador in July 2014, nor even in the first half of August 2014, at which point she said she could not recall the details anymore. I then had another discussion with the French ambassador over the phone, and told him likewise: there is no record of a meeting as having taken place, at which point he said he was no longer sure that he met with Navi Pillay, and he could have met with the Africa branch (which falls under the Division led by Anders Kompass) but he really could not remember the details.

On 27 March 2015, I discussed the case with Nicole Oberholzer (Mohammad al Nsour is away from Geneva) and she noted she had received the note I had asked for from [REDACTED], which included mention of Anders Kompass' name – not found in the more detailed report sent to DHC Flavia Pensieri for subsequent communication to the CdC and concerned UN colleagues.

Nicole Oberholzer said was submitting [REDACTED]'s second note, as well as her and Mohammad al Nsour's memo, to me, for the purposes of the investigation into the leak. I will send the two memos in a separate email.

I ask this information be kept in the strictest confidence.

Zeid Ra'ad Al Hussein

United Nations High Commissioner for Human Rights

29 March 2015