

August 14, 2018

Mr. Antonio Guterres  
Secretary-General  
United Nations  
New York, NY 10017

Dear Mr. Secretary-General,

My name is Prashanti Tiwari, and I was a victim of sexual assault, harassment, intimidation and retaliation by your UNFPA Representative to India, Diego Palacios. Since I reported this assault to the police in the beginning of this year, I have faced further reprisals and have documented the several instances in which UNFPA and other UN officials have intimidated witnesses, blocked police process, and obscured evidence. My case is in limbo, and I have nowhere to turn – so I am writing directly to you.

Mr. Secretary-General, you promised victims of abuse and assault that you would put our rights and dignity first. In 2017, you said that you would “meet personally with victims and hear from them directly.” I wish to meet with you to explain to you the importance of intervening immediately in my case. **Further I also implore you to:**

- **Waive Off the Immunity of the accused and the witness**
- **I implore you to let and allow the police proceedings go uninterrupted and unhindered by the UN and UNFPA**
- **To Meet you to explain to you the importance of intervening immediately in my case**

I was hired as the manager of Gender Alliance, a project funded by UNFPA, to advance the rights of women and girls facing gender-based violence in Bihar, India. I launched the Bandhan Tod mobile application to stop child marriage and generated much praise and acclaim not only for myself and the project, but for UNFPA. In March of 2017, Diego Palacios visited Bihar, and I met him for the first time. Mr. Palacios was immediately inappropriate towards me. I caught him staring at me lewdly, and making remarks about my physical appearance. I was intimidated by his behaviour, and made efforts to avoid him for the next day of his trip, refusing to come to meetings at UNFPA offices.

On March 29, he came uninvited to my office, and tried again to caress my back during a group photo he pressured us into taking. He then insisted that I should go to a UNFPA event happening that evening at a local hotel. I first refused, but later agreed to go, but only under pressure from my supervisor. While we were at a buffet dinner, Mr. Palacios approached me and spoke to me alone, and said that he could offer me a contract if we could find a “mutual” arrangement to “satisfy” his “physical needs.” I was insulted by his proposition; it disrespected me and the hard work I have done my whole life. But I was also afraid. I knew this was a powerful man, and I felt threatened and uncomfortable by his presence. I firmly refused his “offer”, but as I was leaving the hotel, Mr. Palacios got into the same elevator as me and another UNFPA staff member and stood uncomfortably close to me. When his colleague was faced in another direction, Mr. Palacios pressed himself against me, reached out his fingers slyly, and – to my complete shock and horror – he groped me. When the doors to the elevator opened, I came out already in tears.

What followed after this made me feel humiliated, that UNFPA condoned Mr. Palacios’ behaviour and maligned on my own character.

When this happened, I never made a formal report, because he was a high-ranking international staff – the head of UNFPA – and I was just a local partner. I didn't think I would be believed, and I feared losing my job. I said nothing even while Mr. Palacios repeatedly tried to get me to come meet with him in Delhi, except to speak to a human resources officer in November 2017. But then between December 2017 and January 2018, Mr. Palacios' office attempted to terminate my post with my NGO. My position was revised, downgraded and made temporary, and at internal meetings, the UNFPA staff discussed replacing me. This was suspicious, especially because I had an excellent work record and relationship with my NGO. In January this year, 2018, I was offered a position that would have been directly under Mr. Palacios' country office instead of the local state branch where I had been working. I realized then that this was an additional, extreme step in Mr. Palacios' attempts to control me and bring me under his power.

I had to act. I filed a complaint with the Bihar police in February 2018. The police have identified and should now be free to investigate several violations under the Indian penal code, including assault or criminal force against a woman, sexual harassment, criminal intimidation, acts to insult the modesty of a woman, and criminal conspiracy. But the case is stalled, and will remain that way, because UNFPA has asserted in a letter to the Government of India that Mr. Palacios has immunity, even though you yourself have said UN personnel have no immunity for sexual crimes. The letter UNFPA sent to the Indian government asserting Mr. Palacios' immunity is signed by his own hand.

As if adding insult to injury, UNFPA insisted that I had no way to claim my rights under law, but that I was "not devoid of means to effectively address my claims", saying that I should cooperate with an internal investigation. But why should I have trusted an internal investigation? Days after I made my complaint, the UNFPA-India office issued a denial, before they had ever contacted me, investigated or found any evidence. I have heard from reliable sources that Mr. Palacios claims he has support at the highest levels and therefore my case will never be heard. UNFPA has placed incredible restrictions on staff that should be my witnesses – they aren't even being allowed to speak confidentially to police. UNFPA has tried to influence my former employer, the NGO, and it is an open secret that UNFPA staff have been regularly, quietly visiting the police station where my case is filed to exert their influence, though never putting those visits on the record. But most importantly, what happened to me was a crime, and no UN investigation can "effectively address" a criminal matter.

So when UNFPA asked me to participate in a UN investigation that was designed to assess this serious sexual assault as though it was nothing more than a routine workplace discipline issue, I said no, but they proceeded anyway, pressuring me to cooperate, including submitting to an interview with OAS. UNFPA then told me that they would not be interviewing the several witnesses that I provided them. That investigation is now over, and unsurprisingly, it concluded that my claims are "unsubstantiated."

I still do not know why they opened this investigation. They have now sent me their final report, which actually states that UNFPA has no policy regarding sexual harassment or assault when the victim is a contractor, and not UN staff. Because I am not UN staff, UNFPA has informed me in writing that in their internal investigation processes, Mr. Palacios has "due process rights" but I do not.

It is only in the UN system that victims have no rights. Under the laws of my country, I am the victim of a crime, and I have the right to justice.

The conclusion reached by UNFPA investigators asserts the opposite of their own investigative findings. The OAS report actually corroborates every piece of circumstantial evidence I have presented, which

under Indian law is enough to proceed with a criminal case. The actions of UNFPA in conducting this investigation have already violated my rights to justice by influencing the criminal case. As just one example, UNFPA gave Mr. Palacios access to my entire testimony and gave him the opportunity to respond and refute in full. This robbed police of the chance to interrogate him before he could fully rehearse his story. UNFPA has given Indian police permission to now interview him, and one other UNFPA staff witness, but as I understand, that interview can only take place once, without follow-up, and only in the presence of UNFPA staff who will be able to monitor the responses. This cripples the police's ability to do their work properly.

There is, as I said, nowhere left for me to turn.

Your stated gender equality approach focuses on three pillars: empowerment of women within the UN, ending sexual exploitation and abuse, and ending sexual harassment.

I am a woman from the global south, who battled and escaped from an abusive marriage to become the sole provider for my son. I have worked tirelessly my whole life to promote the interests of my community, especially women and girls. I was widely respected for my work. And in the space of a few months, a senior UN employee started to harass me. He exploited the stigma and pain in my life, he took advantage of his power and status and his association with the good name of the UN, and he used those against me. I was pushed out of UN-associated work I was passionate about, and condemned and judged by UN personnel for being a victim of his behaviour, of his abuse and of his sexual harassment.

You have the power to correct this. All I want is to be heard in court. All I want is my right to justice, under the law.

I am feeling at the end of my rope. I kindly request you to meet with me at your earliest opportunity, along with a friend (not my lawyer) who can support me in this heavy and emotional case. I know that you are very busy, but this is my top priority, nothing else in my life can proceed until this matter is settled, so I will make myself available wherever and whenever you will meet with me. I can be reached at [prashantitwari@gmail.com](mailto:prashantitwari@gmail.com).

Sincerely,

Prashanti Tiwari