

# "Investigation"

REILLY Emma

Mon 18/01/2021 14:36

To: BACHELET Michelle <bacheletm@ohchr.org>;

Cc: AG [REDACTED] SGCENTRAL <sgcentral@un.org>; AL-NASHIF Nada [REDACTED] ilze.brandskhehris [REDACTED]  
[REDACTED] SWANSON Ben [REDACTED] ndiaye [REDACTED]

Importance: High

Dear High Commissioner,

I was extremely surprised to receive an email to the effect that Ms Catherine Pollard has placed me under investigation.

This is shocking for several reasons:

1. Ms Pollard has no more authority to place me under investigation than I do to place her under investigation - *you* are the responsible official under ST/AI/2017/1. Similarly, you do not have authority to arbitrarily place, for example, staff of WIPO or Unicef under investigation;
2. You have repeatedly denied, and had your managers deny, any conflict of interest in my case that could have justified any exception;
3. If UN rules are being followed, Ms Pollard is currently herself under investigation by OIOS for retaliation against me, as according to the UN's own legal findings, she was one of three named officials involved in the retaliatory act recognised by the Alternate Chair of EPUN (my forcible transfer to a non-existent post without TOR), so any purported investigation can only constitute the clearest possible act of retaliation;
4. I have filed two legal cases with the UNDT in recent weeks directly calling into question Ms Pollard's role in the retaliation against me, including notably her mismanagement of the "investigation" carried out as a result of my winning a court case, and her refusal to investigate staff of the Office of Administration of Justice who lied to the General Assembly in order to remove the judge who heard my other cases. Ms Pollard would therefore have had an obligation as a UN staff member to declare her clear conflict of interests in any matter concerning me;
5. I am purportedly under investigation for reporting misconduct to Member States and the press, but these reports have been determined by the Alternate Chair of EPUN to constitute protected activities under ST/SGB/2017/2/Rev.1 section 4. ST/AI/2017/1 requires the conduct itself to amount to misconduct, which is not the case here;
6. Ms al Nashif explicitly told me in a "conversation" of 18 June cited by the "investigators" as providing a direct instruction to me not to speak publicly that the unique reason this was not permitted was the lack of a formal determination that I am a whistleblower. Since 27 July 2020, there has been such a determination;
7. The UN has refused to correct the press release issued on 2 February 2017, which continues to contain false and defamatory information about me (Mr. Tistounet was found by OIOS to have had his book launch sponsored by Morocco, and despite your predecessor's "summary," the harassment panel members confirmed under oath that my reports were found to be substantiated). The fact that the UN engineered the removal of the judge who had criticised this defamation from

the Bench, and would almost certainly have required its correction, without any notice whatsoever to stop his ruling in my favour (due in September 2019) is distinctly not my fault. The UN has deliberately left false and defamatory information on the record for **four years** in order to discredit me and cover up complicity in genocide;

8. Ms Pollard and your managers together worked to shut down an OIOS audit of accountability mechanisms in order to cover up the complete failure of all such mechanisms in my case, which the auditors had intended to use as their primary example;
9. Despite no authority to place me under investigation, Ms Pollard has taken steps that have involved significant financial waste (notably hiring of an expensive external consultant) without legal authority to do so, yet there appears to be no investigation of this;
10. The UN has consistently refused to investigate the misconduct I reported (I have outlined already how, in legal terms, it amounts to complicity in international crimes);
11. You have completely ignored all of my emails, queries and requests to meet since before you took office. **You cannot ignore all your responsibilities to investigate clear misconduct in your own office and protect me against retaliation, and then allow an illegal investigation against me to proceed.**

Kindly confirm, by return of email, whether or not **you** have placed me under investigation.

If you have ordered investigation, kindly send all communications and referrals in this regard so I may determine how there is any claim it is "duly authorised," when such is clearly impossible under the policy. If that is the case, I would also appreciate your comments on how you think it is justified to waste public money on this, while not investigating the active endangerment of human rights activists, and retaliation against whistleblowers, notably by your own spokesperson, which has included calling Anders Kompass, then the Swedish Ambassador to Guatemala, "shitty," "duplicitous," and "dishonest" in official communications. Similar comments are reported about me.

Regards,  
Emma Reilly