

Sins in the Corridors of Power
(and equally sinful acts to cover them up)
Cases of Sexual Harassment

FACTS SHEET

THE VICTIMS: MONETTE C. MANTAL, 23, FILIPINO, FEMALE, SINGLE
Temporary Staff Member, Asian Development Bank

ANOTHER VICTIM, 25, FILIPINO, SINGLE MOTHER
Temporary Staff Member, Asian Development Bank

THE OFFENDER: S.L. SENEVIRATNE, MID-50s, SRI LANKAN, MARRIED
Alternate Executive Director for Republic of Korea; Papua New
Guinea; Sri Lanka; Taipei,China; Uzbekistan; Vanuatu and Viet
Nam

DATE OF COMMISSION OF THE OFFENSE:

as to Monette Mantal: the morning of 27 September 2002

as to another victim: the afternoon of 27 September 2002

PLACE OF COMMISSION OF THE OFFENSE:

as to Monette Mantal: office of S.L. Seneviratne, Asian
Development Bank, City of Mandaluyong

as to another victim: office of S.L. Seneviratne, Asian
Development Bank, City of Mandaluyong

NATURE OF OFFENSE COMMITTED:

as to Monette Mantal: Sexual Harassment, Acts of Lasciviousness

- request for sexual favors resulting in an intimidating,
hostile and offensive environment for the employee
- lewd and lascivious utterances and acts

as to another victim: Sexual Harassment, Acts of Lasciviousness

- request for sexual favors resulting in an intimidating,
hostile and offensive environment for the employee
- lewd and lascivious acts
- stealth kissing

ACTIONS TAKEN BY VICTIMS:

Administrative complaints for Sexual Harassment were filed with the ADB on 10 October 2002.

No concrete steps have been taken by ADB authorities to address the matter of the complaints. Official inquiries were made by the complainants on 12 November 2002. ADB, on 15 November 2002, replied that the allegations were *under investigation*. Not satisfied with this reply, the victims sought a meeting with ADB's General Counsel for more clarifications. In the meeting held on 27 November 2002, the General Counsel told the victims' counsels that no action could actually be taken because the ADB's Administrative Orders, specifically contained in A.O. No. 2.11 (Prevention of Sexual Harassment) **do not** apply to members of the Board of Directors.

On 9 December 2002 the victims received a memorandum from ADB's General Counsel to officially pronounce that ADB could not take any definitive action with regards to the complaints filed against Seneviratne. Contrary to claims of the General Counsel, the victims were left out on their own and never received any counseling or any offer of assistance from ADB. Also, the contention that Seneviratne denied the allegations in the complaint was never at any point in time communicated to the victims.

In concluding his memorandum the General Counsel advised the victims that Seneviratne has resigned from his position as Executive Alternate Director.

Criminal cases were filed by the victims against Seneviratne with the Office of the City Prosecutor of the City of Mandaluyong of Sexual Harassment (violation of R.A. 7877) and Acts of Lasciviousness (violation of Art. 336 of the Revised Penal Code) on 5 November 2002.

A preliminary hearing was set on 27 September 2002 at the office of Assistant City Prosecutor Tacla. The respondent failed to appear. He was reported to be on emergency leave and was at that time out of the country. Another hearing was set on 11 December 2002 and again Seneviratne was not around to face the charges or submit his counter-affidavit. The subpoena that was sent to the Discovery Suites where he resided was returned with a note that he has already moved out.

Because of the repeated failure of Seneviratne to appear before the Office of the City Prosecutor for preliminary investigation and especially because of clear indications that he has already fled, the cases were deemed submitted for resolution. The victims now await such determination by the Office of the City Prosecutor.

Charges of violation of R.A. 7877 are now being contemplated by the victims' counsels against the Management of the Asian Development Bank for failing to take action on the complaints within reasonable time.