



Food and Agriculture Organization  
of the United Nations

OFFICE OF THE INSPECTOR GENERAL  
INVESTIGATIONS UNIT

---

**FAO INVESTIGATION GUIDELINES**

March 2021

## **FAO INVESTIGATION GUIDELINES**

### **1. Introduction**

- 1.1 These Guidelines have been prepared in cooperation with the Office of the Legal Counsel, the Ethics Office, and the Human Resources Division (CSH). They have been endorsed by the Director-General after review by the FAO Oversight Advisory Committee and after consultation with the Staff Representative Bodies.
- 1.2 According to paragraph 34 of the Charter of the Office of the Inspector General (OIG), approved by the Finance Committee on 17 June 2020, the Inspector General may issue additional guidelines as necessary to complement the Charter and to accomplish OIG's mission. These Investigation Guidelines define the investigative process and procedures followed by OIG in its investigative work.

### **2. Purpose and scope**

- 2.1 FAO is dedicated to maintaining a workplace that fosters an overall environment of integrity, including in the implementation of its projects and other activities. In support of this goal, and pursuant to its Charter, OIG is responsible for investigating allegations of misconduct involving FAO personnel and allegations of sanctionable actions involving third parties. OIG's investigative activities may be triggered by a complaint or undertaken on its own initiative based on available information.
- 2.2 These Guidelines serve to ensure allegations of misconduct and sanctionable actions are investigated in accordance with applicable principles and policies, protecting the interests of the Organization and upholding the rights and obligations of those involved in the investigative process. The Guidelines reflect the general principles for the investigative process contained in the [Uniform Principles and Guidelines for Investigations, 2nd edition](#), endorsed by the Conference of International Investigators at their 10th Conference in June 2009, and incorporate these principles in a form relevant to FAO.
- 2.3 These Guidelines guide OIG investigators during the investigative process. They also inform complainants, subjects, witnesses and other stakeholders about the investigative process, including their rights and obligations.
- 2.4 In exceptional circumstances, OIG may depart from these Guidelines, in which case complainants, subjects and other stakeholders may be informed, as appropriate, on a "need to know" basis. OIG will record relevant circumstances and/or reasons underlying any departure<sup>1</sup> from these Guidelines in OIG's internal files.

---

<sup>1</sup> The reasons or circumstances leading to minor departures from these Guidelines that do not affect the fairness of the investigative process need not be explicitly recorded (e.g. if an interview can only be attended by one investigator or will not be audio recorded).

2.5 These Guidelines apply to all investigations carried out by OIG. They do not apply to other oversight activities carried out by OIG such as Compliance Reviews following complaints related to the Organization's Environmental and Social standards. Provisions applicable to specific types of cases are set out in the Annex.

### 3. **Definitions**

3.1 An **investigation** is a formal fact-finding inquiry, which examines allegations of, or information concerning, possible misconduct. It aims to determine whether misconduct has occurred and, if so, the persons or entities responsible, so that the Organization can take informed and appropriate action to address the situation.

3.2 A **complainant** is a party, person or entity making a complaint of misconduct to OIG.

3.3 A **complaint** is any allegation, claim, concern or information submitted by a complainant or otherwise known to OIG, indicating possible misconduct or sanctionable action.

3.4 An **affected individual** is the person or persons towards whom the conduct constituting possible sexual harassment, harassment, or sexual exploitation or abuse (SEA) is directed.

3.5 **Obstruction** is knowingly inhibiting or failing to cooperate with an FAO investigation, including, but not limited to, not responding fully or accurately to OIG enquiries; delaying the provision of information to OIG; intentionally providing false or misleading information; withholding, destroying, altering or concealing evidence; intimidating, harassing and/or threatening any potential witness to prevent the disclosure of facts relevant to the investigation; misrepresenting facts; or otherwise knowingly hindering the proper and timely conduct of an investigation.

3.6 A **witness** is a person who provides information to OIG relevant to an investigation.

3.7 A **key witness** is a witness who provides information which OIG considers directly tends to prove or disprove the alleged misconduct. Examples include, but are not limited to, eyewitnesses to harassment and those who have heard a subject acknowledge that they engaged in behaviour amounting to misconduct.

3.8 The **subject** of an investigation is a person whom OIG has reasonable grounds to believe may have engaged in misconduct.

3.9 **Misconduct**, as used in these Guidelines, refers to any wrongdoing by FAO personnel or third parties in connection with their engagement with FAO. This includes any conduct by FAO personnel which is incompatible with their undertaking or implied obligation to the Organization or failure to comply with the requirements of Article I of the Staff Regulations, and/or referred to in various rules and policies as misconduct or unsatisfactory conduct. It includes unsatisfactory conduct by FAO personnel, as per the non-exhaustive list of examples in FAO's Administrative Manual paragraph 330.1.52. It also includes any sanctionable actions by a third party, as defined in the FAO Vendor Sanctions Procedures.

3.10 **FAO personnel** means staff members and other individuals engaged by the Organization, within the meaning of Staff Regulation 301.13.6. It includes *inter alia* all staff members whether on continuing, fixed-term or short-term contractual arrangements; working at headquarters or in

Decentralized Offices; working full time or part time; all non-staff personnel such as consultants, subscribers to Personnel Services Agreements, volunteers, national project personnel and other personnel locally recruited for services in established offices away from headquarters. The term FAO personnel, as used in these Guidelines, also includes FAO retirees, and to the extent that the alleged misconduct relates to their actions while employed by FAO, former staff and other former personnel of the Organization.

- 3.11 **Third party** means any entity considered a vendor or service provider under Manual Section 502 or 507, respectively, and also includes any entity, such as those designated as operational partners under Manual Section 701, entering into Operational Partner Agreements with the Organization.
- 3.12 **Evidence** is any type of information that tends to establish or disprove a fact that is material to the case. It includes, but is not limited to, oral testimony of witnesses, including experts on technical matters; documents; electronic, audio and video records; and photographs.
- 3.13 **Documentary evidence** includes records maintained in FAO corporate systems (e.g. GRMS, SSC E-File); physical files maintained by relevant offices (e.g. procurement files); as well as any other type of documentation or record.
- 3.14 **Testimony** means any statement of fact provided to OIG during the course of a preliminary review or investigation.
- 3.15 **Information asset** includes all information and data created, transmitted, stored or processed by the Organization in any digital format regardless of its ownership and by whosoever created.
- 3.16 **IT resources** means the complete set of IT hardware, software and services (including third-party, cloud, externally hosted or outsourced services) acquired by the Organization. IT resources include, but are not limited to: IT devices, desktop/laptop equipment, data centres, infrastructure, smartphones, Internet domain names, operating systems, storage media, electronic mail, fixed and mobile telephony, audio-visual technologies and networks, IT services, information, external processing services, facilities, technologies and information resources used for Organization information processing, transfer, storage and communications.
- 3.17 **Days**, as used in these Guidelines, refer to calendar days.

#### **4. OIG's investigative mandate**

- 4.1 OIG has sole responsibility for the conduct of all investigations in FAO. Investigations are carried out by:
  - 4.1.1 OIG's professional investigative staff.
  - 4.1.2 Investigation consultants recruited to supplement OIG's investigative capacity; and
  - 4.1.3 When required by the circumstances, and upon prior agreement with OIG, other FAO personnel may be specifically tasked with gathering evidence on behalf of OIG.

4.1.3.1 In such cases, OIG retains full responsibility for managing the investigation, including the analysis of the evidence gathered and preparing any reports to management based on the results of the investigation.

4.1.3.2 The FAO personnel tasked with gathering evidence will receive guidance on how to do so; will closely liaise with OIG on the conduct and outcome of its investigative activities; and must follow these Guidelines or consult with OIG when to do so is not feasible.

4.2 OIG may undertake, at its discretion, proactive integrity reviews in high-risk areas that are susceptible to fraud, corruption and other wrongdoing.

4.3 The existence of an OIG investigation into a matter does not mean that any misconduct has occurred. The existence of an investigation will only be reflected in personnel or vendor records after any administrative decision has been taken by management based on OIG's investigative findings.

4.4 The dynamic size and nature of OIG's caseload, as well as resource levels, require OIG to prioritize investigations to ensure that the most serious and/or urgent allegations, and those which are most likely to adversely affect the Organization, are investigated. As detailed in section 8.2, OIG may decide not to investigate certain matters and instead refer them to an appropriate office for consideration and appropriate action.

4.5 In accordance with its Charter, OIG has full, free and prompt access to any and all FAO records, electronic data, physical property and personnel as necessary for the performance of its duties. In discharging its responsibilities, OIG may communicate directly with all levels of FAO personnel and third parties. OIG may also access the premises, employees and records of any third party, upon reasonable request, consistent with the relevant contract or agreement.

4.6 OIG investigates cases of possible misconduct or sanctionable actions only. Cases which OIG considers to amount to possible managerial, performance or interpersonal issues do not fall within OIG's investigative mandate and will be referred to the appropriate office.

## **5. Guiding principles**

5.1. Investigations must be conducted in a fair and impartial manner and must be free from interference. This includes decisions regarding the assignment of cases; the allocation of resources to conduct investigations; the provision of access to sources of information; and the use of authority to overrule or influence the extent, thoroughness or outcome of an investigation.

5.2. All investigation subjects have a right to due process during the investigation. This includes the presumption of innocence and the right to be notified in writing of the allegations against them before being interviewed as part of the investigation. All investigation subjects have an opportunity to present evidence, provide explanations and nominate witnesses. Subjects and witnesses are not entitled to legal representation in the context of OIG's investigative work.

5.3. The Inspector General and OIG personnel shall avoid situations of actual, perceived or potential conflict of interest that may otherwise impair their judgment in relation to the responsibilities assigned to them. OIG personnel shall disclose any actual, perceived or potential conflict of

interest to the Inspector General and/or the Ethics Officer so that appropriate mitigating measures can be taken.

## **6. Confidentiality**

- 6.1. OIG carries out all investigations in a confidential manner, to protect the rights of all individuals involved in the investigative process, and to preserve the integrity of the investigation itself.
- 6.2. During the course of the investigation, OIG may nevertheless disclose information relating to, or arising from, the investigation on a reasonable “need to know” basis, when required by the legitimate needs of the investigation, for example to:
  - 6.2.1. Provide case-specific information to witnesses and subjects so that they can provide testimony or documentation that is relevant to the investigation; or
  - 6.2.2. Mitigate risks to the Organization or those participating in an investigation (e.g. informing Senior Management or a supervisor of the investigation so measures can be taken to protect the witnesses, the complainant, and/or the Organization); or
  - 6.2.3. Comply with corporate reporting obligations within established confidential mechanisms (e.g. in connection with sexual harassment or SEA reporting; or reporting to the Oversight Advisory Committee).
- 6.3. OIG keeps confidential the identity of a complainant who submits a complaint in good faith and the identity of any witness who provides information as part of an investigation. The confidentiality of a complainant or witness’ identity or information is always contingent upon his/her good faith and truthfulness throughout the investigative process, and may be revoked or limited in the absence of truthfulness. All complainants and witnesses who cooperate with or assist OIG in carrying out its mandate in good faith may benefit from protection against retaliation in accordance with applicable policies.
- 6.4. OIG includes the identity of witnesses in its confidential investigation reports and attaches written records of relevant witness interviews as exhibits to its investigation reports in support of its findings and conclusions. The investigation reports are strictly confidential documents and, pursuant to OIG’s Charter, are submitted to the Director-General, to the latter’s delegated authority, or the Vendor Sanctions Committee, as appropriate. This is, however, without prejudice to any decision taken by the Director-General to share the report as part of the process for deciding what, if any, administrative action to take, or on other exceptional bases aimed at ensuring the effective administration of justice. The Inspector General may also authorize the disclosure of any investigation report or the results of an investigation as needed to ensure the effective administration of justice, e.g. disclosing the results of an investigation to an FAO donor or Member Nation so that legal action can be taken to recover funds or prosecute serious violations of national law. OIG keeps a copy of the final report of investigative findings in its confidential files. Anyone who is involved in the investigative process, e.g. witnesses, must not disclose to anyone outside OIG any information that becomes known to them as a result of their participation in the investigative process without prior written authorization from OIG, unless such information has become public through other demonstrable sources.

6.5. Unauthorized disclosure of the identity of a complainant, an affected individual, a subject of the investigation or a witness, or any other information that may have been obtained relating to the investigation process constitutes a breach of confidentiality. This may also constitute interference with an OIG investigation or retaliation. In any of these cases, unauthorized disclosure may amount to misconduct.

## **7. Reporting misconduct**

7.1. FAO personnel who become aware of, or receive information regarding, possible misconduct have an obligation to report the matter in a timely manner.

7.2. Complaints of possible misconduct, except SEA and retaliation,<sup>2</sup> shall be reported directly to OIG or to a direct or higher-level supervisor, who in turn have an obligation to promptly forward the complaint to OIG. The person or entity making the complaint need not include firm evidence of the alleged misconduct; however, they should include enough information for OIG to review the matter.

7.3. Complaints may be submitted to OIG in the following ways:

7.3.1. From the FAO intranet, through a secure [online form](#);

7.3.2. Writing to the confidential email address ([investigations-hotline@fao.org](mailto:investigations-hotline@fao.org));

7.3.3. Calling the confidential investigations hotline +39 0657054884;

7.3.4. Sending a letter by pouch or post to OIG at FAO headquarters; and/or

7.3.5. Visiting OIG's offices in person at FAO headquarters and speaking with OIG investigations personnel.

7.4. Complaints of possible misconduct can be made by any person irrespective of whether that person has any contractual status with the Organization. Information regarding alleged misconduct may be reported anonymously; however, because anonymous reports are harder to investigate, those reporting such information are encouraged to identify themselves, knowing that their names will be kept confidential, and that there are measures in place to protect them against retaliation.

7.5. Allegations of misconduct against OIG personnel shall be reported to the Inspector General who will arrange for a review by an independent external investigative entity in accordance with the OIG Charter.

---

<sup>2</sup> With regard to **SEA complaints**, consistent with the provisions of Administrative Circular 2013/27 (Protection from Sexual Exploitation and Sexual Abuse [PSEA]), "FAO Employees and [SEA] Focal Points/Alternates shall report complaints or reasonable concerns of SEA, to the Senior Focal Point for PSEA in a prompt and strictly confidential manner." The Senior Focal Point for PSEA shall promptly review and analyse such complaints in the strictest of confidence, to determine whether to refer the matter to OIG for investigation. As of the date of issuance of these Investigation Guidelines, the Senior Focal Point for PSEA is the Ethics Officer. With regard to **retaliation complaints**, as outlined in Administrative Circular 2019/06 (FAO Whistleblower Protection Policy), complaints of retaliation should be made to the Ethics Office, which will review the complaint to determine whether it presents a *prima facie* case to refer to OIG for investigation.

- 7.6. Allegations of misconduct against the Inspector General shall be reported to the Director-General, who will seek the advice of the FAO Oversight Advisory Committee on how to proceed.
- 7.7. OIG may provide complainants and/or affected individuals with updates throughout the course of the investigative process so that they are aware of how the matter is progressing, as needed and in the best interests of the investigation. This does not include information about the substance of the case or of specific investigative steps OIG may be taking, unless OIG considers it necessary or appropriate under the circumstances, and doing so would not compromise the impartiality or confidentiality of the investigation.

## **8. Case intake and assignment of priority**

- 8.1. Upon receipt, all complaints (other than those that constitute spam, scams or generalized grievances), are registered in OIG's case management system. Except where not possible (e.g. lack of means to contact the complainant), OIG normally acknowledges receipt of the complaint within seven days.
- 8.2. Within 14 days of receipt, the complaint is assessed to determine if, on its face, it describes alleged misconduct falling within OIG's investigative mandate, and to assign it a priority on the basis of pre-set criteria (such as the nature of the alleged misconduct; seniority of alleged perpetrator; and financial or reputational risks). In addition to screening out matters that do not fall within OIG's investigative mandate, this process also aims to identify matters that would be more efficiently and effectively addressed by other offices within FAO, so that they can be referred, as appropriate.
- 8.3. Based on the intake assessment, complaints that appear to present an allegation that would fall within OIG's investigative mandate are assigned one of the following priorities:
  - **High priority:** OIG will give priority to complete its investigative work as soon as possible.
  - **Medium priority:** OIG will conduct its investigative work as and when resources are available.
  - **Low priority:** OIG will complete its investigative work resources permitting.
- 8.4. All matters not closed or referred to another office pursuant to section 8.2 are assigned to an OIG investigator for preliminary review.

## **9. Preliminary review**

- 9.1. A preliminary review involves the process of collecting, preserving, securing and evaluating basic evidence to determine whether there is a legitimate basis to warrant an investigation. A preliminary review often includes an interview of the complainant and/or affected individual, and a review of the documents submitted by the complainant, if any.
- 9.2. OIG has the exclusive authority to determine whether a preliminary review provides a legitimate basis to proceed with an investigation. This determination is made based on the evidence collected during the preliminary review and the rule or policy pertinent to the allegation(s).
- 9.3. During the preliminary review, the potential subject of an investigation is not informed of either the existence of the preliminary review or of the allegation(s) against him/her unless OIG



determines it is necessary in the circumstances. No reference to OIG's decision to open a preliminary review will be included in the confidential personnel file of the potential subject. The potential subject is not notified of the decision to close the matter without an investigation, unless they were informed of the preliminary review.

9.4. A preliminary review may result in the following outcomes, with the reasons documented in OIG's confidential case files:

- the matter is closed at the preliminary review stage (e.g. as unsubstantiated, unfounded, referred to another office, or withdrawn); or
- an investigation is opened.

## **10. Investigation**

10.1. The purpose of an investigation is to gather all reasonably available evidence, both inculpatory and exculpatory,<sup>3</sup> to establish the material facts; conclude on the allegation(s) at issue; and formulate a recommendation, which in turn allows the Organization to decide on any appropriate action.

10.2. The standard of proof applied during an investigation to substantiate an allegation is as specified in the rule or policy governing the alleged misconduct or, in the absence of such a rule or policy, the evidence is tested to the greatest extent possible in the circumstances.

10.3. FAO personnel who are the subject of an investigation are provided with a written notification of investigation informing them of their status at the earliest possible opportunity after the investigation is opened, or after their having been identified during the course of an ongoing investigation. This notification will take place no later than at the start of the first interview with the subject. If, during the course of an interview, a witness provides evidence that alters their status to become a subject, they will be notified verbally at that time to allow the interview to continue, which will be followed by a formal written notification.

10.4. In all cases, the written notification of investigation provided to the subject includes the specific allegation(s) under investigation, and a clear reference to the Organization's regulations, rules, policies and procedures that are alleged to have been breached. The notification also includes a summary of the subject's rights and obligations.

10.5. During an investigation, the subject is not entitled to know the name of any complainant or other source of information (e.g. names of witnesses) or to a copy of the complainant(s)' statement(s), except as required to ensure their ability to respond to the evidence or allegations in the case.

## **11. Case closure**

11.1. If, upon completion of an investigation, OIG determines that an allegation is substantiated, it will prepare an investigation report. This report summarizes OIG's factual findings, including specific reference to relevant inculpatory and exculpatory evidence, and presents OIG's analysis of those

---

<sup>3</sup> "Inculpatory" evidence means information that tends to incriminate or to confirm the alleged misconduct by the potential or actual subject. "Exculpatory" evidence means information that tends to refute the alleged misconduct by the potential or actual subject.

findings in support of its conclusions and recommendations. OIG's analysis and conclusions may be based on reasonable inferences. The report is submitted to the Director-General for review and decision.

- 11.2. If, upon the completion of a preliminary review or an investigation, OIG determines that the matter will not be investigated or that the allegation is not substantiated, it may issue a separate memorandum or other form of communication informing or referring to another office any specific matters deemed relevant for information or action, as appropriate, from a managerial or administrative perspective.
- 11.3. OIG may also issue lessons learned reports presenting systemic weaknesses in controls or processes or deficiencies in regulations, rules and policies identified during the course of one or more investigations, regardless of whether the allegations in the case(s) were substantiated. OIG may disclose these reports, omitting any information deemed confidential to the investigation process, to FAO offices and/or managers responsible for managing the related risks. Lessons learned reports may also be disclosed to FAO Member Nations at their request.
- 11.4. Where the investigation reveals credible evidence of criminal conduct of a serious nature, OIG shall submit a recommendation to the Director-General that the matter be referred to the competent national law enforcement authorities, as appropriate.
- 11.5. OIG will notify the complainant and the subject that the preliminary review or investigation has been closed, as appropriate. Such notifications may also indicate that a matter has been referred to another office for further action. Together with the relevant office(s) in FAO, OIG may also inform resource partners of investigative findings related to projects financed through their contributions.
- 11.6. OIG aims to complete preliminary reviews within three months of receipt of the complaint and high priority matters within a shorter time frame, if feasible. The preliminary review may be extended for cause. When a preliminary review is extended, the priority of the matter may be reassessed.
- 11.7. OIG aims to complete investigations within six months of completion of the preliminary review and high priority matters within a shorter time frame, if feasible. If there is an unavoidable delay in completing the investigation, the subject and, when appropriate, the complainant or affected individual are notified of this in writing and advised as to when the investigation is expected to be completed.

## **12. Interim/protective measures**

- 12.1. OIG may recommend interim or protective measures at any time during the investigative process, including but not limited to:
  - suspension pending investigation;
  - physical/hierarchical separation;
  - temporary reassignment to avoid the potential for continued misconduct; or
  - temporary suspension of vendors from participation in procurement exercises.

The foregoing measures are without prejudice to any other measures that other offices may consider appropriate under the circumstances.

- 12.2. OIG may also inform managers of situations on a “need to know” basis so that they may address and try to mitigate any ongoing risk posed by credible allegations of misconduct.
- 12.3. OIG will report any situation that poses a credible risk of physical danger to any person involved in an investigation to the FAO Security Service for urgent action. Reports may also be made in parallel to any other competent security service (e.g. UNDSS Country Offices) in the interest of protecting the physical security of those involved in OIG investigations.
- 12.4. OIG may also recommend to the relevant FAO office or official any other measures it deems appropriate to protect affected individuals, witnesses, evidence, the investigative process or the interests of the Organization during the course of an investigation.

### **13. Evidence gathering and preservation**

#### *Physical and digital records and documentation*

- 13.1. OIG gathers all records and documentation available from internal FAO sources. OIG may also request records or documents from any other source outside the Organization which OIG considers relevant to the investigation. Records and documentation may exist in physical and/or electronic form.
  - 13.1.1. In relation to official FAO records and documents, unless originals are required, OIG makes or saves a copy of the relevant evidence, and maintains it in its confidential case file. This does not include confidential medical files, or records held with the Ethics Office or Ombudsman, which can only be accessed with the written consent of the individual concerned.
  - 13.1.2. In relation to records or documentation received from sources other than FAO records and documents, OIG documents the source and date of receipt of the evidence in its files. Such evidence is also maintained in confidential OIG case files.
  - 13.1.3. Regarding electronic data stored on FAO-issued IT resources, including that associated with individual FAO user accounts, OIG seizure and/or access may be made at any time following written approval from the Inspector General, and after informing the Directeur de Cabinet. Electronic data are maintained in OIG’s confidential case files. Records of the access are also kept in OIG’s confidential case files and are only shared with FAO personnel outside OIG on a “need to know” basis consistent with section 6. Seizure of FAO IT resources in the custody of FAO personnel, and/or access to any personal IT assets (e.g. personal computers, pen drives, email accounts, mobile phones, etc.) that have been attached to FAO IT resources or contain data belonging to the Organization (Information Assets), is made in the presence of the FAO personnel concerned, as appropriate and practicable in the circumstances. OIG analyses data obtained pursuant to this paragraph only as relevant to the performance of its functions in relation to the allegation(s) at issue in the preliminary review and/or investigation.

## *Interviews*

- 13.2. OIG gathers testimonial evidence by interviewing individuals to obtain statements based on their recollections of events of which they have direct or indirect knowledge. OIG does not pay witnesses or subjects for information. Subject to the Organization's applicable rules, OIG may assume responsibility for reasonable expenses incurred by witnesses to meet and/or communicate with investigators. All interviews are conducted in an appropriate environment; at a reasonable time; and for a reasonable duration, dependent on the circumstances, with breaks as needed. All interviews may be conducted in person or remotely.
  - 13.2.1. Interviews conducted during the preliminary review stage may be conducted in any manner that best suits the needs of the review.
  - 13.2.2. Subject interviews are conducted by two investigators and are audio recorded, after which a transcript of the interview is prepared by a professional transcription service and certified as accurate. The transcript is provided to the subject for their records once it is available, in any case, no later than at the time of case closure.
  - 13.2.3. Interviews of the complainant, affected individual and/or key witnesses are, to the extent practicable, conducted by two investigators and audio recorded. A record of the interview is prepared summarizing the interview, and is provided to the interviewee as soon as practicable to confirm the accuracy and consistency with the testimony given and to enable the interviewee to make comments within a stated period of time. Alternatively, a transcript of the recorded interview may be produced in lieu of a written record, as detailed above. Should a transcript be prepared, it is shared with the interviewee for their records no later than at the time of case closure.
  - 13.2.4. In the context of an investigation, all interviews with other witnesses will generally be conducted by one investigator and audio recorded. A record of the interview is prepared summarizing the interview and is provided to the interviewee as soon as practicable to confirm the accuracy and consistency with the testimony given and to enable the interviewee to make comments within a stated period of time.
  - 13.2.5. Interviews, including key witness interviews, with individuals other than current FAO personnel, to the extent practicable, are conducted by two investigators. In lieu of an audio recording and transcriptions, all such interviews can be summarized in a record of interview to be provided to the interviewee as soon as practicable to confirm the accuracy and consistency with the testimony given and to enable the interviewee to make comments within a stated period of time.
  - 13.2.6. Subjects, complainants, affected individuals and witnesses do not have a right to legal representation during the investigative process. However, no later than at the time the interview is scheduled, unless doing so would compromise the integrity of the investigation, subjects and affected individuals are informed that they may be accompanied by a support person, who will act as an observer, provided the support person undertakes to respect the confidentiality of the investigation; is reasonably available; and is not connected to the matter under investigation. The observer has no

right to respond on behalf of the interviewee or otherwise intervene in the interview process in any manner. OIG may object to a particular individual being present if it has reason to believe that his/her presence could jeopardize the investigation. In such case, the interviewee may choose an alternative individual as an observer, who will be subject to the same conditions.

*Other physical evidence*

13.3. OIG gathers physical evidence including objects (e.g. identification cards, cellular telephones etc.) and records of the state of items or places (e.g. photographs). Physical access to individual offices is made in the presence of personnel assigned to the office or, if not suitable, in the presence of FAO or UN security personnel or another neutral party. When collecting physical evidence, OIG records the name of the individual providing the evidence; the source/location where the evidence came from; the date and time it is received; and a general description of the evidence.

**14. Final provisions**

14.1. The Guidelines take immediate effect and supersede the “Revised Guidelines for Internal Administrative Investigations by the Office of the Inspector General”, promulgated by Administrative Circular 2017/03. The Guidelines apply to all OIG investigative activity, both ongoing and new, from the time of their issuance. When the application of the deadlines contained herein would result in a different deadline for investigative activities, the later deadline will apply.

14.2. OIG will review these Guidelines periodically, but no later than 2025, to update them and make any adjustments necessary based on experience and any changed situations.

14.3. To the extent these Guidelines are inconsistent with prior administrative circulars, these Guidelines prevail.

## **ANNEX**

**Provisions applicable to specific types of complaints.** The provisions contained in the above Guidelines are subject to the following policy-specific provisions, which relate to certain types of complaints:

### **A.1 Complaints of workplace harassment and abuse of authority under AC 2015/03**

A.1.1 Pursuant to paragraph 28 of the Policy on Prevention of Harassment, Sexual Harassment and Abuse of Authority (AC 2015/03), complaints should be in writing and identify the individual bringing the matter to OIG. The complaint should be submitted as soon as possible after the date of the alleged incident, or (if more than one incident is alleged) as soon as possible after the most recent alleged incident, and should normally be made within six months, excluding time absent from the duty station due to sick leave and duty travel, and any time spent in a good faith attempt to resolve the situation through an informal resolution process (e.g. mediation attempts through a supervisor or through the office of the Ombudsman). In any case, any complaint filed more than a year after the most recent alleged incident will be inadmissible.

A.1.2 Pursuant to paragraph 32 of the policy, where no steps have been taken by the complainant to handle their concerns through an informal resolution process, OIG may discuss with the complainant the benefits of considering an informal resolution. OIG will suspend its investigative activities if an informal resolution is initiated.

A.1.3 Pursuant to paragraph 33 of the policy, as part of the preliminary review, OIG will inform the person against whom a complaint of harassment has been made about the existence of a complaint, at which point he or she will have ten days to respond in writing should he or she so choose. However, if in OIG's view the disclosure of the formal complaint puts at risk the documentary evidence, witnesses and potential victims, the subject may be notified subsequently but no later than his or her interview as the subject of the investigation during the full investigation.

A.1.4 In cases where the matter is closed at the end of a preliminary review, OIG will inform the complainant of the reasons for the closure, including an explanation of how OIG reached its conclusion.

A.1.5 Pursuant to paragraph 41 of the policy, if a complainant wishes to withdraw a formal complaint at any stage, a written request must be made to OIG. After considering the reasons for withdrawal, OIG may accept the withdrawal of the complaint or may nonetheless decide to pursue the matter.

### **A.2 Complaints of sexual harassment under AC 2019/01**

A.2.1 Pursuant to paragraph 25 of the Policy on Prevention of Sexual Harassment (AC 2019/01), in cases where the formal report of possible sexual harassment is submitted by a person other than the affected individual, OIG will consider the views or the situation of the affected individual before deciding on whether to proceed with an investigation.

A.2.2 If an investigation is undertaken, OIG will inform the affected individual and the subject of the investigation only that the investigation has been completed and that the report has been forwarded to the Director-General. The Director-General is solely responsible for informing the individuals concerned of the outcome of the investigation and for conveying the relevant reports to them. The provision of any such information will be strictly confidential.

### **A.3 Complaints of retaliation under AC 2019/06**

A.3.1 Pursuant to paragraph 16 et. seq. of the FAO Whistleblower Protection Policy (AC 2019/06), complaints of retaliation are sent to the Ethics Office for review and determination if there is a *prima facie* case. Should OIG receive a complaint of retaliation, it will be acknowledged and automatically forwarded to the Ethics Office.

A.3.2 Pursuant to paragraph 25 of the policy, upon receipt of the Ethics Office's referral of a *prima facie* case of retaliation, OIG will conduct an investigation in accordance with these Guidelines.

A.3.3 OIG may make recommendations for appropriate interim protective measures to safeguard the interests of the complainant, including, but not limited to, temporary suspension of implementation of the action reported as retaliatory and, in consultation with the complainant, temporary reassignment of the complainant or placement of the complainant on special leave with full pay. All such recommendations are made to the Director-General, with the Ethics Office in copy, for consideration. OIG will keep the complainant informed of the outcome when it makes such a recommendation.

A.3.4 In accordance with paragraph 25 of the policy, in all cases where an investigation is opened, OIG submits an investigation report on allegations of retaliation to the Director-General, with a copy to the Ethics Office.

### **A.4 Complaints of sexual exploitation and sexual abuse under AC 2013/27**

A.4.1 Pursuant to paragraph 16 of the Policy on Protection from Sexual Exploitation and Sexual Abuse (AC 2013/27), all complaints of sexual exploitation or sexual abuse are to be reported to the Senior Focal Point for PSEA. OIG will forward all such complaints to the Senior Focal Point for PSEA for review.

A.4.2 Upon receipt of a complaint of sexual exploitation or sexual abuse from the Senior Focal Point for PSEA, OIG will conduct a preliminary review in accordance with these Guidelines. OIG will normally complete its preliminary review within 45 days of receiving a complaint of SEA from the Senior Focal Point. OIG will notify the Senior Focal Point of any decision to open an investigation into allegations of sexual exploitation or sexual abuse, as well as any decision not to open an investigation into the matter.

A.4.3 OIG will inform the Senior Focal Point for PSEA of any extension of either the preliminary review or of any investigation.

### **A.5 Complaints of sanctionable actions against third parties under FAO's Vendor Sanctions Policy (promulgated by AC 2014/27)**

A.5.1 Notification of investigation to a third party does not need to be in writing and can be made at the time of a subject interview with a representative of the third party. Such notification need not be made before the third party is notified that it is under temporary suspension, such notification serving as formal notice of the investigation. The standard of proof used in such investigations is "preponderance of evidence" as defined in FAO's Vendor Sanctions Policy.

A.5.2 The timeline for investigations into allegations against third parties follows that set out in these Guidelines, unless there has been a request for temporary suspension granted by the Vendor Sanctions

Committee. In such case, the investigation will follow the timelines set out in the Vendor Sanctions Procedures.

A.5.3 Investigation reports regarding sanctionable actions by third parties are submitted only to the Vendor Sanctions Committee.