# Inspector General’s Office / Bureau de l’Inspecteur général

**SUBJECT NOTICE OF INVESTIGATION**

1. The IGO is mandated to investigate allegations of misconduct against UNHCR staff in accordance with IOM/009/2012 – FOM/010/2012 of 7 February 2012.
2. A staff member against whom allegations of misconduct have been made (hereinafter the Subject) should be aware of the following:
3. An investigation is a fact-finding exercise, not a punitive undertaking. The purpose of an investigation is to determine whether or not the facts and evidence available support a finding of misconduct against the staff member concerned. The result of an investigation may be either a Closure Report for the IGO’s files, when misconduct could not be established, or an Investigation Report on the facts established, if there is sufficient evidence that a staff member has engaged in misconduct. In the event of a Closure Report, s/he will be issued with a Clearance Letter. If an Investigation Report is prepared, the IGO’s responsibility is to send it to the Director of the Division of Human Resources Management (DHRM) who may take further action, such as initiating disciplinary action against the staff member concerned.
4. The IGO conducts investigations with strict regard for the individual rights and obligations of staff, fairness, impartiality and the presumption of innocence.
5. The IGO will, as soon as it is feasible without jeopardizing the effectiveness or integrity of the investigation process itself, formally communicate to the Subject of an investigation that s/he is under investigation and the general nature of the matter under investigation. The notification should normally be sent at least 24 hours before the Subject is interviewed, unless in exceptional circumstances where there is a risk that the investigation could otherwise be jeopardised.
6. The Subject of an investigation will be given a fair and reasonable opportunity to explain or justify the conduct being examined and present evidence on their behalf prior to the issuance of an Investigation Report to the Director, DHRM. The Subject will normally be provided such an opportunity at two different stages before the completion of the investigation. First, s/he will be informed of the full nature of the allegations during his/her interview and afforded the opportunity to respond and to provide countervailing evidence. Subsequently, the Subject may be given an opportunity to review the investigation findings to correct any factual errors or otherwise clarify any information. Under certain circumstances, however, it may be considered that for serious reasons, including the safety of witnesses, such findings should not be shared with the Subject.
7. The Subject can submit to the IGO any information or document and/or make a written request for any witnesses s/he considers relevant to be interviewed. The IGO will follow up on such a request and interview these witnesses at its discretion if their testimonies may be relevant and central to the allegations.
8. Strict standards of confidentiality are adhered to throughout the investigation. This means, for example, that the disclosure of any information related to an investigation, including the identity of staff members or others involved, the subject matter of the investigation, and even the fact itself of an investigation, is restricted to a “need-to-know” standard, i.e. confidential information can only be revealed to specific individuals if it is necessary to proceed with the investigation. Likewise, interviewees are reminded that details about the investigation that become known to them through the interview process or that may already be known to them should be kept confidential. The confidentiality of the investigative process is intended, *inter alia,* to protect a staff member who is the Subject of an investigation.
9. The Subject of an investigation is also bound by the confidentiality of the investigation process. This means that s/he should not discuss the ongoing investigation with anyone without prior clearance from the IGO.
10. Staff members do not have the right to be represented by counsel during the investigation. However, a Subject may choose to be accompanied to his/her interview by another staff member provided s/he is not connected to the matter under investigation. If a Subject chooses to be accompanied to his/her interview, s/he will be permitted to contact other staff members for the sole purpose of checking their availability for the interview and only with prior notice to the IGO, which will ensure that the staff members are not connected to the matter under investigation. The IGO will not allow the availability of a specific accompanying staff member to delay scheduling an interview.
11. The accompanying staff member may provide the Subject with emotional support before, during and after the interview as well as in the course of the investigation process. The accompanying staff member has no right to respond on behalf of the Subject or otherwise intervene in the interview process in any manner. The accompanying staff member is required to sign an Oath of Confidentiality.
12. All UNHCR staff members, including the Subject of an investigation, have a duty to cooperate with investigations, and specifically, to respond fully and truthfully to all questions posed during the interview as well as provide any relevant additional information. Deliberate non-cooperation with an investigation, including the withholding of information known to be of relevance, may be investigated as a separate case of possible misconduct.
13. Subject interviews will normally be audio recorded to ensure the integrity of the process. A written record of the interview will also be made. The Subject will be provided with the record of interview for review (in specific cases this may be done verbally and recorded) and will be asked to indicate agreement by signature. In some cases this may be done by email correspondence.