

United Nations  Nations Unies

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16 December 2008

Dear Mr. Kisambira,

Please refer to your letter of 4 December 2008, regarding procedures used for internal, administrative investigations.

OIOS applies rigorous procedures in the conduct of any investigation, and a staff member's duty to cooperate is, of course, conditioned on our respect for those procedures. In this regard, it should be noted that OIOS does not conduct interrogations. Our interview procedures are designed only to record a staff member's position, whatever that position may be, on certain events and/or issues. Interviews are normally scheduled with staff in advance, either by telephone or e-mail. The interviews usually take place in the OIOS conference room, DC1, which is a standard conference room and used for all OIOS/ID meetings. The interview is conducted by one investigation. A second OIOS/ID staff member is present to ensure the interview record is prepared. OIOS/ID interviews are based on a simple question and answer format with the questions and answers typically typed during the course of the interview, albeit not verbatim.

Before an interview commences, the person conducting the interview explains the process and procedures. This is according to set parameters that require an explanation of the investigation purpose, OIOS/ID's responsibility and matters related to confidentiality and cooperation. The staff member is informed before the interview that he/she will have an opportunity to review the written record of the questions and answers and then be requested to indicate agreement by signature. Should the staff member wish to make changes to the record at that point, they can be indicated with either handwritten annotations or correction of the electronic document before signature. In the event that a staff member declines the request to sign, however, he/she will be informed that their refusal will be noted for the record together with the reasons why, if any.

Staff members are also informed that they may request a break during an interview and are asked in advance if they have any scheduling or time restrictions so these can be taken into account. Moreover, a required question for each interview is whether the staff member has any objections to how the interview was conducted. In the event that a staff member being interviewed objects to the process or the manner in which the interview is being conducted, the person conducting the interview will put in the record an explanation of the staff member's objection.

Finally, where a staff member requests counsel, OIOS follows the Office of Legal Affairs' position that the expectation of counsel arises only when a charge of misconduct, if any, is made. The United Nations Secretariat has no provision for counsel during the fact-finding process. Should you have further questions on this matter, it is suggested that you contact the Office of Legal Affairs for additional information.

I hope this clarifies the process used to conduct an interview but I invite you, or anyone from the Staff Union, to visit OIOS/ID where we can demonstrate the process as it applies in practice. This may give you a better understanding of what staff members can expect and any comments you have as a result would be useful to our effort of continual improvement.

Yours sincerely,



Inga-Britt Ahlenius
Under-Secretary-General
for Internal Oversight Services

Mr. Stephen Kisambira
President
United Nations Staff Union
New York

Copy to:
Ms. Kane
~~Ms. Pollard~~
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