



GREEN  
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# Decision of the Board on the Investigation Standards

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**B.BM-2021/22**

17 December 2021

**Decision approved without a meeting**

## Decision of the Board on the Investigation Standards

The Board, having considered document GCF/BM-2021/24 titled “Investigation Standards”:

- (a) Approves the Investigation Standards set out in annex I to this document;
- (b) Requests the IIU, in consultation with the Secretariat, given the specific considerations that are applicable to administrative investigations into alleged violations of the SEAH Policy, to develop for the EAC’s consideration and approval, separate procedures governing the conduct of interviews with relevant witnesses;
- (c) Requests the Secretariat, in consultation with the Board, to establish an appropriate mechanism or procedure for addressing reports of suspected Wrongdoing concerning staff members, consultants or interns of the IIU, or their immediate family members, as stipulated in paragraph 27 of the Policy on Prohibited Practices;
- (d) Takes note of the ongoing overall policy review being conducted by the Secretariat pursuant to decision B.24/04, annex II, and requests the IIU and the Secretariat to identify any policy conflicts and inconsistencies between the Terms of Reference of the IIU, the Human Resources Legal Framework, the GCF Integrity Policies and the GCF Ethics Policies, including through such review process, and to present any necessary amendments to such documents for the Board’s consideration, following consultation with the EAC as appropriate; and
- (e) Authorizes the EAC to address issues that may arise in the implementation of the Investigation Standards and to refer matters it deems appropriate for the consideration of the Board.

## Annex I: Investigation Standards

### I. Introduction

1. Pursuant to paragraph 68 of the Fund's Governing Instrument, the Board established the Independent Integrity Unit ("the IIU") to cooperate and coordinate with the Secretariat and report to the Board, to investigate allegations of fraud and corruption and other prohibited practices in line with international best practices and in coordination with relevant counterpart authorities.
2. Paragraph 15 (c) of the Terms of Reference of the Independent Integrity Unit<sup>1</sup> authorizes the IIU to adopt appropriate procedures to determine whether an integrity violation has occurred, gather sufficient related evidence, attempt to identify the integrity violators and establish the extent of the integrity violation as well as the techniques used.
3. The Investigation Standards ("the Standards") are consistent with GCF Integrity Policies and the Human Resources Legal Framework. They reflect generally accepted Investigation standards for international organizations as laid down in the Uniform Principles and Guidelines for Investigations endorsed by the Conference of International Investigators.<sup>2</sup>

### II. Purpose

4. The Standards aim to ensure consistent, objective, and effective Investigations that align with international best practices. The objective of the Standards is to set out the principles and general procedures applicable to Investigations and thus provide certainty and transparency to investigation participants, the Subjects of an Investigation, and other stakeholders about the Investigation process. While each Investigation is unique, and the circumstances may require some flexibility, investigative activities will be guided by the principles and general procedures prescribed herein.

### III. Definitions

5. For the purposes of this document, the following terms are defined as follows:
  - (a) **"Administrative Remedies and Exclusion Policy"** means the GCF's Administrative Remedies and Exclusion Policy as adopted by the Board in decision B.BM-2021/09, as may be amended, supplemented or replaced from time to time.
  - (b) **"Board"** means the Board of the Green Climate Fund.
  - (c) **"Complaint"** means a report of suspected Wrongdoing.
  - (d) **"Complainant"** means a person who files a Complaint.
  - (e) **"Conflict of Interest"** has the meaning given to it in the Policy on Prohibited Practices.
  - (f) **"Counterparty"** has the meaning given to it in the Policy on Prohibited Practices.
  - (g) **"Covered Individual"** has the meaning given to it in the Policy on Prohibited Practices.

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<sup>1</sup> Decision B.06/09, Annex IV.

<sup>2</sup> Uniform Principles and Guidelines for Investigations, 2<sup>nd</sup> Edition, as endorsed by participating organizations at the 10th Conference of International Investigators held from 10 to 12 June 2009 at the Dead Sea in Jordan.

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- (h) **“Evidence”** has the meaning given to it in the Policy on the Protection of Whistleblowers and Witnesses.
- (i) **“External Investigation”** means an Investigation, conducted by the IIU, into reported or suspected violations of the GCF Integrity Policies by a Counterparty.
- (j) **“External Member”** has the meaning given to it in the Policy on Prohibited Practices.
- (k) **“GCF Ethics Policies”** means the Policy on Ethics and Conflicts of Interest for Active Observers of the Green Climate Fund; Policy on Ethics and Conflict of Interest for Board-appointed Officials; Policy on Ethics and Conflict of Interest for the Executive Director of the Green Climate Fund Secretariat; Policy on Ethics and Conflict of Interest for External Members of Green Climate Fund Panels and Groups; and Policy on Ethics and Conflict of Interest for the Board of the Green Climate Fund, as such policies may be amended, supplemented or replaced from time to time.<sup>3</sup>
- (l) **“GCF Integrity Policies”** means the Policy on Prohibited Practices, the Policy on the Protection of Whistleblowers and Witnesses, the SEAH Policy, the Anti-Money Laundering and Countering the Financing of Terrorism Policy, and the Standards for the implementation of the Anti-Money Laundering and Countering the Financing of Terrorism Policy, as such policies may be amended, supplemented or replaced from time to time.
- (m) **“GCF Personnel”** has the meaning given to it in the Policy on Prohibited Practices.
- (n) **“Human Resources Legal Framework”** means all policies, instructions, procedures, and guidance governing or instructing the conduct of GCF Staff.
- (o) **“Internal Investigation”** means an Investigation, conducted by the IIU into (i) reported or suspected misconduct by a Covered Individual, which includes reported or suspected violations of the GCF Integrity Policies; or (ii) to the extent empowered by the Ethics and Audit Committee (EAC), other breaches of the relevant GCF Ethics Policies.
- (p) **“Investigative Office”** means the body or unit of a Counterparty authorized to conduct Investigations into integrity violations.
- (q) **“Investigation”** means a detailed inquiry and examination of Evidence to objectively determine the facts.
- (r) **“Investigator”** means any person authorized by the Fund to undertake an Investigation.
- (s) **“Matter”** means a case, allegation, Complaint, or other issue(s) requiring an Investigation.
- (t) **“Policy on Prohibited Practices”** means the GCF’s Policy on Prohibited Practices as adopted by the Board in decision B.22/19, annex XIV, as may be amended, supplemented or replaced from time to time, including by decision B.23/08.
- (u) **“Policy on the Protection of Whistleblowers and Witnesses”** means the GCF’s Policy on the Protection of Whistleblowers and Witnesses as adopted by the Board in decision B.BM-2018/21, as may be amended, supplemented or replaced from time to time.

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<sup>3</sup> As adopted by the Board in decisions: B.23/08 “Policy on Ethics and Conflicts of Interest for Active Observers of the Green Climate Fund”; B.13/27 “Policy on Ethics and Conflict of Interest for Board-appointed officials”; B.10/13 “Policy on Ethics and Conflict of Interest for the Executive Director of the Green Climate Fund Secretariat” and “Policy on Ethics and Conflict of Interest for External Members of Green Climate Fund Panels and Groups”; and B.09/03 “Policy on Ethics and Conflict of Interest for the Board of the Green Climate Fund”.

- (v) **“Prohibited Practices”** has the meaning given to that term in the Policy on Prohibited Practices.
- (w) **“Retaliation against Whistleblowers or Witnesses”** has the meaning given to it in the Policy on the Protection of Whistleblowers and Witnesses.
- (x) **“SEAH”** means Sexual Exploitation, Sexual Abuse, and Sexual Harassment (as those terms are defined in the SEAH Policy).
- (y) **“SEAH Policy”** means the GCF’s Revised Policy on the Prevention and Protection from Sexual Exploitation, Sexual Abuse, and Sexual Harassment as adopted by the Board in decision B.BM-2021/08, as may be amended, supplemented or replaced from time to time.
- (z) **“Staff”** has the meaning given to it in the Policy on Prohibited Practices.
- (aa) **“Subject of an Investigation”** has the meaning given to it in the Policy on the Protection of Whistleblowers and Witnesses.
- (bb) **“Substantiated”** means that given the applicable standard of proof, the Investigation was completed, and the available Evidence sufficiently satisfies the required standard of proof to establish the alleged action(s).
- (cc) **“Unsubstantiated”** means that given the applicable standard of proof, the Investigation was closed, and the available Evidence was insufficient to satisfy the required standard of proof to establish the alleged action(s). This finding does not necessarily mean that the allegation was false.
- (dd) **“Whistleblower”** has the meaning given to it in the Policy on the Protection of Whistleblowers and Witnesses.
- (ee) **“Wrongdoing”** has the meaning given to that term in the Policy on Prohibited Practices.
- (ff) **“Witness”** has the meaning given to it in the Policy on the Protection of Whistleblowers and Witnesses.

## IV. Scope and Applicability

6. The Standards define the principles and general procedures for Investigations conducted by the IIU into reported or suspected misconduct by a Covered Individual, which includes reported or suspected violations of GCF Integrity Policies or GCF Ethics Policies, and reported or suspected violations of the GCF Integrity Policies by Counterparties.

### 4.1 Covered Individuals

7. The Standards will be applied by the IIU in the Investigation of Complaints against all Covered Individuals with the exception of the Executive Director, the Head of the IIU, Board Members, Alternate Board Members, their Advisers<sup>4</sup> and IIU personnel.

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<sup>4</sup> These exceptions are in accordance with GCF Ethics Policies, which require that the EAC review and respond to reports concerning the indicated persons. In such instances, the EAC will determine whether the IIU or another party will conduct the investigation. In the event the IIU is to conduct the relevant investigation, the Standards will apply such investigations *mutatis mutandis* to the extent not inconsistent with the relevant procedures set out in the applicable GCF Ethics Policies.

8. They will be recorded as Internal Investigations, and if Substantiated, will form the basis for formal consideration of remedial or disciplinary measures. In the event that there is a conflict between the Standards and applicable GCF Ethics Policies, provisions of the GCF Ethics Policies will prevail.
9. The Standards will apply with respect to Investigations into Staff in accordance with the procedures set out in the relevant Board-approved policies<sup>5</sup>. For other GCF Personnel, the Standards will apply subject to the provisions and procedures applicable to them under their terms of contract. In the event that there is a conflict between the Standards and applicable Board-approved policies or terms of contract, provisions of the policies or the contract will prevail.
10. Complaints against parties working under the authority of the IIU, or their immediate family members, the Investigation, and the determination and enforcement of any disciplinary measure thereto, shall, as stipulated in the Policy on Prohibited Practices, be referred to and addressed by the Ethics and Audit Committee on an interim basis until an appropriate mechanism or procedure is established by the GCF Secretariat, in consultation with the Board.

## 4.2 Counterparties

11. The Standards will be applied by the IIU in the Investigation of Complaints against Counterparties and will be recorded as External Investigations. Such Investigations will be conducted in accordance with the provisions of any applicable contractual agreements.
12. If the IIU concludes that a preponderance of evidence supports a finding of a Prohibited Practice by a Counterparty, the result of the Investigation will form the basis for formal considerations in accordance with the Administrative Remedies and Exclusion Policy.

## V. Investigation General Principles

13. The IIU shall apply the following principles when conducting Investigations:
  - (a) The IIU shall conduct its Investigations without prejudice or discrimination of any kind. It will maintain objectivity, impartiality, and fairness throughout the Investigation process and conduct activities competently, with the highest level of professionalism and integrity.
  - (b) The IIU shall perform its investigative duties independently and free of influence from those responsible for governing, or involved in, operational activities of the GCF, and from parties who may be or become Subjects of an Investigation.
  - (c) The IIU shall conduct its work free from improper influence and/or fear of retaliation.
  - (d) The IIU shall make reasonable accommodations when an Investigation involves persons with special needs or disabilities.
  - (e) The IIU shall treat seriously, and thoroughly investigate reports of suspected SEAH in a manner that is gender-responsive, survivor-centred.
  - (f) The IIU shall maintain and keep secure all records of the Investigation and the information collected.

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<sup>5</sup> The Policy on the Protection of Whistleblowers and Witnesses, the Policy on Prohibited Practices, the SEAH Policy and the Administrative Guidelines on Human Resources as adopted by the Board in decision B.08/17.

- (g) The IIU will take appropriate measures to protect as confidential any non-public information associated with an Investigation, and will take appropriate measures to prevent the unauthorised disclosure of investigative findings.
- (h) The IIU shall examine both inculpatory and exculpatory Evidence. Investigation findings will be based on facts and related analysis which may include reasonable inferences.
- (i) The standard of proof used to determine whether an allegation is Substantiated or not, is a preponderance of evidence. Where an Investigation relates to misconduct by a Staff member, the standard of proof will be any relevant requirements established by decisions of the administrative tribunal recognized by the GCF.<sup>6</sup>
- (j) The Subject(s) of an Investigation will be given notice of the allegations made against them when a preliminary assessment transitions into a full Investigation. The Subject(s) will be given the opportunity to respond to the allegations and provide any Evidence or information to support their position.
- (k) The IIU will make recommendations that are derived from its investigative findings to appropriate bodies as provided for in the Terms of Reference of the IIU<sup>7</sup> and Human Resources Legal Framework<sup>8</sup>.
- (l) The IIU will not offer nor make any payment, financial or otherwise, to a Witness, Whistleblower, or a Subject for information; however, the IIU may assume the responsibility for reasonable expenses incurred by Witnesses, Whistleblowers or Subjects to meet with the IIU.
- (m) Investigator(s) will disclose to the Head of the IIU, in a timely manner, any actual or potential Conflict of Interest they may have in an Investigation in which they are participating. The Head of the IIU will take appropriate steps to remedy the conflict.
- (n) The Head of the IIU will disclose any actual, or potential Conflict of Interest he/she may have in an Investigation in accordance with the applicable rules.
- (o) The IIU may engage external parties (e.g. individuals or companies experienced in forensic Investigations) to assist in its Investigations.

## VI. Investigation Process

14. In the conduct of its Investigations, the IIU shall respect the rights of Staff members as reflected in the Human Resources Legal Framework, and those identified by the relevant administrative tribunal.<sup>9</sup>

15. Each Investigation is unique in character and possesses varying levels of complexity, with dynamic circumstances, dimensions, challenges, and outcomes. For Internal Investigations, barring any impediments or unforeseen delays, reasonable efforts will be made to complete Investigations and produce all relevant reports within 12 months following receipt of a Complaint.

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<sup>6</sup> B.15/15(a) The Board decided to recognize the jurisdiction of the administrative tribunal of the International Labour Organization in respect of disputes involving a member of staff of the Secretariat or any of the independent accountability units.

<sup>7</sup> As per Paragraph 15(d) and 15(h) of the Terms of Reference of the IIU.

<sup>8</sup> As per Paragraph 5.5, Appendix 2, Guideline G of the Administrative Guidelines on Human Resources.

<sup>9</sup> B.15/15(a) *supra* note 6.

16. For External Investigations, similarly barring any impediments or unforeseen delays, the IIU will endeavour to complete its Investigations and produce all relevant reports within 18 months following the initiation of a preliminary assessment.

17. In Internal Investigations relating to SEAH and Retaliation against Whistleblowers and Witnesses, also barring any impediments or unforeseen delays, the IIU will endeavour to complete its Investigations within 6 months following receipt of a Complaint.

18. Any delays, interruptions, hindrances, or exigent circumstances that affect the indicated timelines will be noted in the case file and final report.

## 6.1 Receipt of Complaint

19. Through any of the available intake channels, the IIU will accept and enter all Complaints, along with any associated details, into a case management system, database or similar platform irrespective of their source, including anonymous sources.

20. To ensure that a Complaint is adequately assessed and to facilitate a more effective Investigations process, the Complaint should include sufficient details, such as:

- (a) A detailed description of the alleged misconduct or integrity violation;
- (b) The names of the implicated parties;
- (c) Where and when the alleged misconduct or integrity violation occurred;
- (d) The names of potential Witnesses to the alleged misconduct or integrity violation; and
- (e) All available supporting documentation.

21. Unless otherwise impracticable due to unforeseen circumstances, acknowledgement of receipt of the Complaint shall be communicated to the Complainant by email or their preferred mode of communication within 10 business days.

## 6.2 Intake Assessment

22. The IIU will endeavour to complete intake assessments within 30 business days following receipt of a Complaint. During the assessment, all Complaints will be reviewed to determine whether they fall within the jurisdiction or authority of the IIU.

23. If there is insufficient or incomplete information to enable an intake assessment, the IIU will request additional information from the Complainant, where practicable.

24. If the IIU determines that the Complaint falls within its jurisdiction, it will further review the Complaint at a preliminary assessment stage. If not, the IIU will close the case, inform the Complainant of this decision, and where applicable, refer the Matter to the appropriate bodies for consideration and further action.

25. As a result of the intake assessment, the Investigator will prepare an intake assessment report which contains a brief background, allegations stated in the Complaint, relevant facts, and an analysis of findings.

26. An intake assessment report will conclude whether a Complaint is within the jurisdiction of the IIU and describes appropriate recommendations to further assess the case or close it.



27. All intake assessment reports will be subject to a review by a supervising Investigator and approval by the Head of the IIU or delegate.
28. If a Complaint concerns a Counterparty, the IIU may refer the case to the relevant Investigative Office in accordance with the provisions of any applicable contractual agreements.

### 6.3 Preliminary Assessment

29. Once a Complaint is determined to fall within the jurisdiction of the IIU, it will be examined against the following criteria to determine whether a *prima facie* case exists to warrant a full Investigation:
  - (a) Credibility – means there is a reasonable possibility that Wrongdoing occurred;
  - (b) Verifiability – means practicable options exist to obtain sufficient Evidence to determine whether, according to the applicable standard of proof, the allegations are established; and
  - (c) Materiality – means that the Evidence goes to prove or disprove a fact.
30. Taking into consideration the circumstances of the case, the IIU, will as appropriate, undertake investigative activities as reflected in Sections 7.2 and 7.3 of this document.
31. If the IIU determines that a *prima facie* case does not exist to warrant a full Investigation, the IIU will close the case and inform the Complainant of the decision and the reasons for closing the case. If so determined, the IIU may refer the Matter to the appropriate bodies for consideration and further action.
32. If a Complaint relates to a Covered Individual, the IIU may refer the case to a relevant national or international authority, if considered appropriate and if so authorized by the Executive Director.
33. If a Complaint relates to a Counterparty, the IIU may refer the case to the relevant Investigative Office in accordance with the provisions of any applicable contractual agreements, or to a relevant governmental authority in accordance with the Administrative Remedies and Exclusion Policy.
34. Where the IIU refers a case to the relevant Investigative Office or to the relevant national or international authority, this does not preclude the IIU from opening its own Internal or External Investigation, although, once opened these Investigations may be held in abeyance pending the outcome of an Investigation by the Investigative Office or the relevant national or international authority.
35. The Investigator will prepare a preliminary assessment report after concluding a preliminary assessment. This report will describe the investigative activities undertaken, preliminary findings, and preliminary conclusions.
36. Preliminary assessment reports will be subject to review by a supervising Investigator, and approval by the Head of the IIU or delegate. The report will contain information about the allegation, applicable legal norms, investigative methodology, findings, and conclusions with an appropriate recommendation to either close or progress the case to a full Investigation.

## 6.4 Settlements – Counterparties

37. In reference to Counterparties, negotiated settlements and settlement agreements are addressed under the provisions of the Administrative Remedies and Exclusion Policy.

## 6.5 Internal Investigations

38. The purpose of an Internal Investigation is to determine whether an allegation of reported or suspected misconduct by a Covered Individual, including reported or suspected violations of the GCF Integrity Policies, is Substantiated or Unsubstantiated.

39. When the IIU can identify sufficient Evidence to Substantiate the allegation(s) against a Covered Individual, the IIU will document its findings in an Investigation report.

40. If, as the outcome of an Internal Investigation, the IIU does not find sufficient Evidence to Substantiate the allegation(s), it will document its findings, close the Investigation, and notify the Executive Director, the Subject(s) and other relevant parties, as appropriate.

41. For cases that are closed without an Investigation report, either because there is no basis on which to continue an Investigation, the case was referred elsewhere, or the allegation(s) determined to be outside the IIU's jurisdiction, a closure memo will be written reflecting the reasons for the closure and included in the case file. Should circumstances change or new information becomes available, the case may be re-opened.

42. Taking into consideration the circumstances of the case, to safeguard the confidentiality of Whistleblowers, Witnesses, informants or associated parties, Investigation reports may be redacted and/or names replaced by descriptors or pseudonyms.

43. Investigation reports are subject to review by a supervising Investigator and the approval of the Head of the IIU or delegate. The report will contain all relevant information about the allegation, applicable legal norms, investigative methodology, findings, and conclusions.

44. The Head of the IIU or delegate will submit Investigation reports to the Executive Director, the EAC or the respective Heads of the Independent Units, as applicable within their respective mandates, for consideration and remedial and/or further actions.

45. At the conclusion of the Investigation, the Subject(s) of Internal Investigations may obtain a copy of the Investigation report and associated Evidence items, in so far as in doing so, the release of these materials does not infringe on the confidentiality or rights of Whistleblowers, Witnesses, informants, or associated parties. If so, a redacted copy of the report and/or related Evidence item will be furnished.

## 6.6 External Investigations

46. The purpose of an External Investigation is to determine whether an allegation of a suspected violation of the GCF Policy on Prohibited Practices by a Counterparty is Substantiated or Unsubstantiated.

47. When the IIU can Substantiate an allegation of a suspected violation of the Policy on Prohibited Practices, the IIU will document its findings in an Investigation report, which may be used by the IIU at its discretion as the basis for preparation and submission of a statement of charges pursuant to the Administrative Remedies and Exclusion Policy.

48. In External Investigations, when the allegation is Substantiated, the IIU will provide recommendations derived from its findings to the Case Review Officer and the Secretariat, as applicable to each of them.
49. When such allegation is Unsubstantiated, the IIU will close the Investigation, notify the Subject(s) and other parties, as appropriate and relevant, and provide the Secretariat with recommendations, if any, derived from its findings.
50. For cases that are closed without an Investigation report, either because there was no basis on which to continue an Investigation, the case was referred elsewhere, or the allegation(s) determined to be outside the IIU's jurisdiction, a closure memo will be written reflecting the reasons for the closure and included in the case file. Should circumstances change or new information becomes available, the case may be re-opened.
51. Taking into consideration the circumstances of the case, to safeguard confidentiality of Whistleblowers, Witnesses, informants or associated parties, Investigation reports may be redacted and/or names replaced by descriptors or pseudonyms.
52. Investigation reports will be subject to review by a supervising Investigator and the approval of the Head of the IIU or delegate. The report will contain information about the allegation, applicable legal norms, investigative methodology, findings, and conclusions.

## **VII. Investigation Methodology and Procedures**

### **7.1 Prioritisation**

53. Complaints pertaining to SEAH, Retaliation against Whistleblowers and Witnesses, and other Prohibited Practices will be given a higher priority.
54. Case priority will also be determined with respect to other cases, taking into account the monetary value of the integrity violation, media and other sensitivity and relevance to a possible financial risk and reputational risk.
55. In planning and conduct of an Investigation and the resources allocated to it, the gravity of the allegation(s) and possible outcome(s) should be duly considered.

### **7.2 Investigative Activities**

56. The IIU shall, wherever possible, seek corroboration of the information in its possession.
57. Investigative activities will be conducted in accordance with the Terms of Reference of the IIU, the Terms of Reference of the Head of the IIU, and the provisions reflected in the Human Resources Legal Framework. Commensurately, investigative activity includes the collection and analysis of relevant documentary, video, audio, photographic, electronic information such as email, database records, spreadsheets etc., interview records, observations of Investigators, and such other investigative techniques required to conduct the Investigation.
58. The IIU will enjoy complete independence in the exercise of its responsibilities; and in order to conduct an Investigation, it will have full access to all relevant Fund's documents and

data, including electronic data. During the course of its work, the IIU will need to work closely with the Secretariat.<sup>10</sup>

59. Failure to provide the IIU with requested GCF equipment, devices, storage media, electronic data, or any other Evidence items owned by the GCF during the conduct of an authorized Investigation may be a violation of GCF policies and may necessitate remedial action.

60. Collection of any evidentiary items must be associated with a case and be relevant to the respective Investigation(s).

61. Any collection of electronically stored information such as data from computer systems, portable devices, network storage, etc. shall be authorized by the Head of the IIU or Officer-in-Charge of the IIU.

62. Examination of collected electronically stored information shall at all times be limited to matters relevant to the case. If as a result of this analysis, Evidence suggests a requirement to expand the scope of investigative activities, additional authorization shall be obtained. All pertinent findings must be documented and included in the Investigation report.

63. All collected Evidence items must be preserved in a manner that protects the integrity of the materials, and be made available for audit purposes or for future analysis. If disposal or relinquishment of the item(s) becomes necessary, a record of such action(s) shall be included in the case file.

64. At any time during an Investigation, the IIU may, as a precautionary measure, recommend to the Executive Director the application of interim measures, in accordance with the Human Resources Legal Framework and the Policy on the Protection of Whistleblowers and Witnesses.

### 7.3 Interviews

65. Staff interviews conducted during an Investigation shall be done in accordance with the relevant provisions of the Human Resources Legal Framework.<sup>11</sup>

66. Notwithstanding this Section 7.3, and given the specific considerations that are applicable to administrative investigations into alleged violations of the SEAH Policy, the IIU, in consultation with the Secretariat, shall promptly prepare for the EAC's consideration and approval, separate procedures governing the conduct of interviews with relevant witnesses.

67. To the extent possible, all interviews conducted by the IIU will be audio recorded, and the interviewee shall be informed of this prior to the commencement of such recording. A copy of the audio file or a transcription of the interview can be made available to the interviewee upon their request at the conclusion of the Investigation.

68. At all times, interviews shall be conducted in a professional and respectful manner.

69. Where possible, all interviews shall be conducted face to face and in private settings. However, interviews may also be conducted using video conferencing and other telephony tools.

70. To the extent possible, interviews will be conducted by two or more persons.

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<sup>10</sup> As per Paragraph 2 of the Terms of Reference of the IIU.

<sup>11</sup> Paragraph 3.1 Representation of Staff Members During Investigation of Guideline G, Appendix 2 of the Administrative Guidelines on Human Resources.

71. The interviewer(s) will duly consider any requests by the interviewee, provided such request does not negatively affect the integrity of an Investigation.
72. To schedule an interview, the IIU shall contact the interviewee by e-mail at least 24 hours in advance, unless there is reasonable ground to believe that such advance notice might jeopardize the Investigation.
73. For Subjects of an Investigation, this notification shall include a notice of the allegations, and any applicable policies and/or guidelines that outline the interviewee's rights and obligations.
74. All other interviewee notifications shall include any applicable policies and guidelines that outline the interviewee's rights and obligations.
75. If during the conduct of a witness interview, the interviewee discloses information that implicates them in the alleged misconduct or violation of the GCF Integrity Policies, the IIU will note the statement(s) and curtail the interview. If, following an assessment of the facts, the IIU determines that the interviewee is now a Subject in a case, the IIU will initiate the concomitant notifications as reflected herein.
76. All documents presented by or to the interviewee shall be marked as exhibits and retained in a case file.
77. Interviews will normally be conducted in English, however, where appropriate and if the language capacity is available within the IIU, the interview may be conducted in the language of the interviewee's choice. If the interview needs to be conducted in another language and the capacity is unavailable within the IIU, it will be conducted with the assistance of an interpreter.
78. The interviewee shall be given an opportunity to make any comments or raise any matter regarding the Investigation. Any issue or Complaint shall be noted and recorded by the Investigator. A written record of the Complaint(s) shall be communicated to the Head of the IIU or their delegate for consideration. The Head of the IIU or their delegate will provide a response to the written Complaint(s) within 30 days.

## **VIII. False Reports**

79. Where the IIU's investigative findings indicate that a Complaint or information provided in connection with a Complaint was knowingly erroneous, untrue, inaccurate, misleading, dishonest, or intended to deceive or injure, the IIU shall document the act(s), open a separate Investigation, and if Substantiated, refer the Matter to the Secretariat and/or other appropriate bodies for further action.

## **IX. External Assistance**

80. In the event of an immediate need, or where specialized services are required, the IIU may directly engage external parties to assist in its Investigations. Such engagement(s) fall under the authority of the Head of the IIU or their delegate.
81. External services shall be procured in cooperation with the Secretariat in accordance with the applicable procurement policies and procedures.

## **X. Post-Investigation**

82. Following completion of the Investigation, the IIU may be required to support post-investigative activities that fall within the responsibility of the GCF, including cooperating in appeals or other established mechanisms to address grievances raised by Covered Individuals and Counterparties in relation to Investigations conducted by the IIU.

## **XI. Governance**

83. Any changes to this document that are (i) not substantive, and/or (ii) are incidental in nature, may be approved by the Head of IIU following consultation with the Office of the General Counsel. If it is determined that the intended revisions have implications on any due process rights, broader consultations will be held with the appropriate representative bodies. Any such revisions will be submitted to the EAC for its approval. All relevant parties will be informed of the changes.

## **XII. Effective Date**

84. The Standards will come into effect upon the approval of the Board.

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