

Terms of Reference

PAHO Investigations Office

Mandate and Authority

1. These Terms of Reference (TOR) set out the mandate, authority, responsibilities, and the general methodology of the Investigations Office (INV) of the Pan American Health Organization (PAHO).
2. The mandate of INV is to examine and determine the facts surrounding allegations of misconduct by conducting preliminary assessments and full investigations in order to provide PAHO's management with the factual information necessary to identify and address instances of misconduct. INV will also contribute to the good governance of PAHO by helping the Organization protect its resources, integrity and reputation and by supporting the Organization's Accountability Framework.
3. INV has the sole responsibility in PAHO for handling misconduct allegations and conducting all investigations, including financial misconduct, sexual misconduct, retaliation, as well as any other failures to comply with regulations, rules, or policies that may rise to the level of misconduct. While other entities or individuals within PAHO may also receive allegations of misconduct, they shall promptly forward them to INV.
4. INV will conduct independent, impartial, confidential, fair, transparent, and timely administrative fact-finding investigations aligned with international best practices, and in accordance with the [International Labor Organization Administrative Tribunal's](#) (ILOAT) jurisprudence. Furthermore, INV personnel will conduct their activities with the highest levels of professionalism and integrity, and in accordance with PAHO's regulations, rules and policies, including the Investigation Protocol.
5. INV has the authority to investigate any allegations of misconduct involving PAHO personnel or third parties performing activities contracted for or financed by PAHO in accordance with the provisions established herein. While conducting preliminary assessments and investigations, INV will have free access to all relevant information, including PAHO's records, personnel and premises, as deemed necessary for the performance of its duties. INV will also have the authority to examine and copy all the relevant books and records of projects, individuals, or firms participating in activities financed by PAHO.
6. In addition, INV has the authority to undertake proactive investigations in high-risk areas that are duly identified to be susceptible to fraud, corruption, or any other forms of misconduct.

7. INV also has the authority to contract external investigators whenever deemed necessary because of the nature or complexity of an investigation; the size of the existing caseload; or due to any actual or perceived conflict of interest.
8. Allegations of misconduct against the Director of PAHO will be handled in accordance with the relevant PAHO policy.
9. For allegations of misconduct involving the Deputy Director (DD), INV will recuse itself and refer the matter to the Office of the Legal Counsel (LEG).
10. INV is not authorized to:
 - a. perform any operational, managerial or supervisory duties for PAHO's operations;
 - b. initiate or approve accounting transactions external to INV; or
 - c. direct the activities of any PAHO personnel not assigned to INV.

Duties and Responsibilities

11. INV is headed by the Chief Investigator, who reports to the Deputy Director of PAHO for individual and office performance evaluation, planning, logistics, financial and human resources issues and other administrative matters. To maintain functional independence, INV provides an annual report to the Governing Bodies of PAHO, through its Executive Committee.
12. The Chief Investigator is selected by the Organization through a competitive selection process and serves a single non-renewable term of seven years. In addition, the incumbent is ineligible to work in any other position or under any type of contractual mechanism in PAHO for a period of at least five years after the end of the term. After the completion of the probationary period, the Organization may dismiss the Chief Investigator prior to the expiration of the Chief Investigator's term only for cause, and after duly informing PAHO's Executive Committee.
13. The Chief Investigator and all personnel assigned to INV shall uphold the guiding principles of the Investigations Office: independence, impartiality, confidentiality, fairness, and timeliness. In addition, they will conduct their duties with the highest levels of professionalism and integrity. They must be free from any real or perceived conflict of interest when performing their functions, and their actions and decisions must be taken without influence, interference, or fear of retaliation.
14. INV personnel shall disclose to their supervisor any actual or perceived conflict of interest in respect of any matter which they are responsible for handling. If the actual or perceived conflict of interest cannot be resolved, the investigator will recuse themselves and the Chief Investigator will inform the Deputy Director. The Deputy Director will coordinate with the Office of the Legal Counsel to determine the necessary action, including hiring an external investigator, as appropriate.

15. INV will submit an annual written report to the Executive Committee of PAHO, specifying the number and general nature of matters handled and describing the Office's activities during the preceding calendar year. If, in INV's view, certain investigations have revealed broad patterns of misconduct, the report may include the issues involved while maintaining necessary confidentiality.
16. The Chief Investigator also has private and confidential access to the members of the Executive Committee and PAHO's Audit Committee, as necessary.
17. The Chief Investigator will prepare a flexible annual work plan, and report regularly to the Deputy Director on progress towards fulfillment of this plan.
18. The Chief Investigator will also keep the Director of PAHO informed on progress on the implementation of the annual work plan and any other relevant issues.
19. The Chief Investigator serves as Chairperson of the Investigations Coordinating Committee (ICC), as Secretary to the Asset Protection and Loss Prevention (APLP) Committee and, as member of PAHO's Integrity and Conflict Management System (ICMS), represents INV at ICMS meetings. The Chief Investigator may also serve in other PAHO committees or working groups, as appropriate.
20. INV will be responsible for maintaining reporting mechanisms (external web-based portals; intranet; email; postal address; etc.) that function around the clock and will ensure that they are known by PAHO personnel.
21. INV will also maintain an effective case management system to keep a record of all allegations of misconduct, from their initial receipt to their final disposition by INV. r.
22. As business owner, INV is responsible for the development and updating of any policy for which they are the business owner, including the Investigation Protocol.
23. INV will, through its participation in the ICMS, provide input on the development of and substantive changes to PAHO policies relevant to the investigation function, including, as appropriate: the Investigation Protocol; the Internal Control Framework; the Accountability Framework; the Protection against Retaliation Policy; the Policy on Fraud and Reporting suspected Fraud; the Policy on Preventing Sexual Exploitation and Abuse; the Policy on the Prevention and Resolution of Harassment in the Workplace; as well as all other policies relevant to INV's mandate.
24. INV will communicate through different channels and formats how to report misconduct anonymously and with confidentiality. INV will also collaborate with other entities within PAHO in awareness raising efforts to increase the visibility of the office and to strengthen trust in the investigation process.

25. INV may consult and collaborate with other Organizations, international institutions, and other relevant parties to exchange ideas, practical experiences, and insights on how to address issues of mutual concerns. However, the exchange of any information with external parties will take into consideration the confidentiality requirements of any investigation, as well as the protection of PAHO data, and the personal data of any investigation participant.
26. INV will participate in the Conference of International Investigators (CII) to ensure harmonization of its work and standard procedures with the leading forum for investigation professionals of international organizations. The Chief Investigator, and/or anyone designated by the Chief Investigator, will attend the annual CII conference depending on the Conference locations and the available resources. The Chief Investigator will also represent PAHO in UN-RIS (United Nations Representatives of Investigatory Services). INV will ensure that its personnel attend regular training and courses in areas such as fraud, corruption, harassment, and sexual misconduct, encouraging INV personnel to obtain certification when available.

General Methodology of the investigation process

27. INV will adhere to the best international practices among UN investigation services and multilateral organizations for conducting administrative investigations, applying a victim-centered approach while ensuring that the rights of all investigation participants are duly protected, including their due process rights and presumption of innocence, and that all investigative activities are conducted in accordance with the ILOAT jurisprudence.
28. INV will adopt transparent procedures for all activities conducted in the investigation cycle: the intake and preliminary assessment of allegations; the risk assessments to launch proactive investigations; the implementation of full investigations; as well as the reporting of any findings to PAHO Management. These procedures will be described in PAHO's Investigation Protocol and other relevant administrative documents.
29. In prioritizing its work, INV shall apply a risk-based approach, including but not limited to factors such as: the financial exposure or reputational harm to the Organization; the risks related to the integrity of investigation process and the safety of all investigation participants; the level and position of individuals involved in the matter; and the impact on the Organization's work environment, among other criteria.
30. Prior to initiating an investigation of any allegation of misconduct involving third parties performing activities contracted for or financed by PAHO, INV shall consult with PAHO's Office of the Legal Counsel. The Office of the Legal Counsel will advise if the allegation is within the authority or competence of PAHO to investigate and will ensure that the fact-finding process will not breach any existing agreement or contract, pose risks of litigation or other adverse action against the Organization, or require the involvement of, or notification to, national authorities or other third parties.

31. Except as provided in paragraph 29 above or where INV recuses itself, INV will assess and decide which reported allegations require investigation according to the following objective criteria: materiality; verifiability; and credibility. When an investigation is deemed necessary, INV or an external investigator will have sole responsibility for conducting it.
32. . During the preliminary assessment, or while conducting a full investigation, INV shall request from PAHO management any interim measures necessary to protect the integrity of the investigation process, the interests of the Organization, or the safety of any investigation participant.
33. INV will conduct its investigations expeditiously, gathering and examining both inculpatory and exculpatory evidence, and maintaining the presumption of innocence throughout the investigation process.
34. At the conclusion of any investigation, INV will issue a written report as promptly as possible to the Director of Human Resources Management or other designated official (as specified in the Investigation Protocol), and to the Office of the Legal Counsel, summarizing the facts found during an investigation and assessing whether the facts as alleged are supported by the available evidence. Investigative findings will be based on facts and related analysis, which may include reasonable inferences.
35. Furthermore, if at the conclusion of any investigation INV determines that there is evidence of criminal conduct, it will immediately transmit the matter to the Office of the Legal Counsel for possible referral to national authorities.
36. Where applicable, INV may also provide Observation Letters, bringing to the Director's attention specific concerns that could pose reputational risks or other risks to PAHO, or containing suggestions to address policy gaps and to improve internal controls and administrative processes.
37. INV does not participate in management decision-making about whether or not a breach of PAHO's rules, regulations or policies has occurred, or in the imposition of disciplinary or administrative action following completion of an investigation.

Approval and revision of INV Terms of Reference

38. This revised version of the INV Terms of Reference was reviewed by the Legal Counsel and approved by PAHO's Deputy Director.
39. The INV Terms of Reference will be reviewed at least every two years, or more often if required. Any revision will be approved by PAHO's Deputy Director after consultation with the Office of the Legal Counsel and will be brought to the attention of PAHO's Director.

Approved: Manjiv Vaidya

Date: 08 October 2025