



# Lesson 3.1 Principles of Investigation

# Lesson 3.1 Content

- What is an investigation?
- What are the principles of investigations?
- What are the responsibilities of investigators?
- What is a victim centred approach?

# Lesson 3.1 Learning Outcomes

- Explain what an investigation is
- List the principles of investigation
- Explain the responsibilities of investigators
- Describe a victim centred approach



What is an  
Investigation?

# Defining an Investigation

- A legally based and analytical process
- Designed to gather evidence
- To determine whether wrongdoing occurred
- To determine the persons or entities responsible

# Purpose of Investigation

- A tool for collecting facts
- To maintain conduct and discipline, and reinforce command and control
- Provides for accountability
- Protects victims by deterring against possible impropriety
- Ensures legitimacy and basis for operations is not undermined

# Stages of NIO Investigations

1. Initial actions for protection of individuals and evidence
2. Gather and study background material
3. Plan the investigation
4. Gather documentary evidence
5. Interview witnesses
6. Analyse the evidence
7. Write investigation report



# Investigation Principles



# Core Principles

- Do no harm
- Transparency
- Independence, impartiality and objectivity
- Thoroughness, accuracy and precision
- Timeliness
- Record, preserve and collect all relevant evidence
- Confidentiality
- Informed consent for victims and UN external witnesses
- Duty of UN personnel to cooperate
- Protection, safety and welfare
- Due process and procedural fairness
- Gender perspective
- Focus on evidence, not opinion
- Professionalism

# Do No Harm

- (Health)care as the first priority
- Risk assessment
- Appropriate preparation and training
- Informed consent
- Protection
- Respect, professionalism and empathy
- Watch for signs of emotional distress
- Special precautions
- Prevent harm
- Plan and prepare

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# Essential Elements to Conducting Investigations

- Ethical conduct
- Investigating the allegations, not an individual
- Presumption of innocence
- The investigator is not the decision-maker
- The investigator does not make moral judgments relating to any aspects of the investigation



What are the  
Responsibilities of  
Investigators?

# Responsibilities of Investigators

- Developing a written plan of the investigation
- Conducting the investigation, including gathering evidence, reporting and making recommendations
- Assessing/reviewing and advising on matters pertaining to the needs of the victim and other witnesses
- Assessing/reviewing and advising on matters pertaining to the subject of the complaint
- Establishing a diverse, multi-disciplinary team



# Qualifications of Investigators

- Professional
  - Integrity
  - Fairness and impartiality
  - Respect
  - Skill
- Responsible
- Qualified
- Independent
- Experience in interviewing
- Knowledge of UN policies in relation to SEA
- Knowledge of:
  - Women, Peace and Security
  - Children and Armed Conflict and Child Protection
  - Protection of Civilians
  - Humanitarian Action

# Key Skills for Conducting an Investigation

- Planning
- Communication
- Thoroughness
- Careful listening
- Observation
- Adaptability
- Structure
- Cultural sensitivity
- Analytical
- Curious
- Common sense
- Creativity
- Specificity
- Investigative

# Stakeholders



UN Mission, UN  
HQ, CDT, VRA,  
OIOS, FC



TCC Member  
State, TCC NIO,  
TCC Command



Local  
Authorities and  
Institutions,  
INGOs, NGOs





What is a Victim-Centred Approach?

# Victim-Centred Approach

- Needs and priorities of victims at the forefront
- Protection, safety and minimising harm
- Prioritising confidentiality
- Support services
- Physical and psychological wellbeing
- Appropriate interviewing techniques, particularly with children
- Avoiding re-traumatisation

# Needs of the Victim

- Being treated with dignity and respect
- Access to a safe, supportive, non-judgmental environment.
- Access to appropriate evidence
- Confidentiality and informed consent
- Access to information about actions s/he can take and services available to support her/him

# Trauma

- Signs of trauma:
  - Memory loss
  - Depression, aggression or social isolation
  - Lack of focus
  - Recurring nightmares flashbacks or intrusive memories
  - Medically unexplained physical complaints
- Avoid assumptions
- Focus on narrative and conversational approach
- Build trust
- Acknowledge pain and trauma
- Manage your own emotions

# Lesson Takeaway

- Investigations are process designed to gather evidence and establish facts
- The role of NIO is to gather all relevant evidence so as to enable an authority to determine objectively whether an allegation of misconduct is substantiated
- NIO are responsible to their contingent commanders to conduct fair, impartial and professional investigations
- Do no harm
- Needs and priorities of victims are at the forefront of investigations





Questions?



TTX

# Scenario

Patricia is 19-years old and takes care of her 6-year old brother. After the United Nations military contingent deploys in her town, she goes to their camp to ask for a job to earn money to send her brother to school. She meets with a peacekeeper inside his room in the camp. He tells her she is beautiful and gives her a job to clean his room and wash his clothes. Some days later, the peacekeeper finds Patricia cleaning his room and tells her he wants to have sex with her. When she refuses, he tells Maria that she will have sex with him if she wants to keep her job. She then has sex with him inside his room. Patricia wants to stop going to the camp, because she is afraid that people in town may find out about the sex, but she really needs the money. She is afraid to complain fearing what the peacekeeper may do to her or her brother. She does not know his name, but he seems to be important, as everyone calls him “Babu” (sir). She remembers that he had some big things on the shoulders of his uniform.

# Discussion Points

- As your contingents NIO you have been assigned to investigate this incident
- Based on the information in the scenario:
  - Identify the SEA related misconduct
  - Identify the key elements to address during your investigation
  - Identify the lines of enquiry and sources of evidence
  - Identify specific challenges you may encounter during your investigation
  - Identify any other forms of possible misconduct