WS 1: Investigating Retaliation: Practical Guidance and Case Studies

The panel discussed how having an Ethics Office can build trust within an organization, though challenges remain, especially in how facts are gathered in preliminary assessments versus full investigations. The key elements of retaliation cases were discussed, like defining what actions are protected, identifying any adverse actions such as termination, and establishing a prima facie case to show that speaking up played a role in the negative outcome.

There was also a strong focus on the importance of "speak up" mechanisms to encourage reporting, along with practical protective measures like confidentiality, security, and re-assignment for those who come forward. After investigations, it's crucial to support affected complainants and take disciplinary action against those who retaliate.

However, challenges like fear of reprisal, balancing confidentiality with transparency, and managing the burden of proof make these cases especially complex.

WS 2: Ethics and Investigations: Navigating OSINT, AI, and Digital Forensics

The session addressed the challenges of using AI and open-source intelligence in investigations. The workshop covered 3 topics, particularly

    (i)   the use of AI in interview transcription, translation and summary;
    (ii)   use of AI in due diligence and eDiscovery; and
    (iii)   use of open-source intelligence.

According to the panel, while AI offers remarkable efficiencies in data analysis, transcription, and discovery, it also brings risks, particularly around bias, privacy, and over-reliance on technology. Panel members emphasized the need for human oversight to validate AI's output, ensuring accuracy and addressing potential bias.

Further, as investigations increasingly rely on AI and OSINT, there is a need to balance technological advances with ethical safeguard and implementing best practices and standard operating procedures to preserve data integrity and ensure fairness.

WS 3: Sexual Exploitation, Abuse, and Harassment (SEAH): Balancing Priorities and Comparative Strategies

The session covered the varied ways in which multilateral institutions address sexual exploitation, abuse, and harassment cases differently, yet all adhere to the core principle of a victim-centered approach—where the interest, safety, and well-being of the victim is prioritized. The panel acknowledged that this approach may present challenges in conducting investigations, but also examined strategies to mitigate these difficulties and ultimately ensure accountability for those involved.

WS 4: Investigative Procedures: Best Practices for Navigating Remote Investigations

The speakers agreed that pre-Covid, organizations have been practicing some form of remote investigation or online interviews. But during the pandemic, there was no other viable option but to do investigations remotely and the crisis proved that remote investigations could work.

Post-pandemic, organizations continued with remote investigations, but with a better grasp of its challenges and limitations, primarily the following:

- Lack of control in online interviews where the investigator may not know who could be in the room during the interview aside from the subject
- Difficulty building rapport with interviewees as compared to in person interviews
- Difficulty of ensuring the confidentiality of information shared via online interviews
- Lack of access to the technology to enable live remote communication

In discussing best practices for remote investigations, the common element cited by the speakers is *planning*. Investigators need to plan very well to address the challenges posed by the unique nature of doing investigations remotely.

WS 5: Using AI in investigations

Remote investigative interviews come with their own set of challenges, but they can be effective when approached thoughtfully. Investigators must navigate technical issues, time zone differences, and cultural nuances while ensuring fairness and professionalism. Building trust with interviewees is key, especially for those in vulnerable situations. This means creating a neutral, respectful environment, communicating clearly about the purpose of the interview, and being mindful of individual circumstances. Tools like electronic recordings and written summaries help maintain accuracy and transparency, while thorough preparation ensures that interviews stay focused and productive.

Interpreting non-verbal cues and addressing biases require extra care in remote settings. Investigators should approach interviews with an open mind, be sensitive to cultural differences, and ensure their behavior reflects neutrality and professionalism. Training and consistent practices across cases are essential to maintaining fairness and integrity.

While some organizations share interview recordings to foster transparency, others restrict access to protect against misuse, highlighting the need for balanced policies. Ultimately, a well-prepared and empathetic approach can make remote interviews as impactful as in-person interactions.

WS 6: Proactive Investigations and Reviews: Prioritization & Best Practices for Integrity

The panel discussed how PIRs serve as tools to contribute to operational efficiency by mitigating fraud risks through enhanced institutional controls and processes, and not just means to generate cases for investigation.

It was recognized that stakeholder cooperation is essential for effective PIRs. Securing this cooperation, requires clearly communicating the value of PIRs, demonstrating tangible results, i.e., quantifying losses prevented, and aligning interests, particularly in advancing development objectives.

WS 7: Investigative Interviewing: Optimizing Investigations and Addressing Bias

Conducting remote investigative interviews presents unique challenges, but with the right approach, they can be just as effective as in-person interviews. Investigators need to adapt to technical issues, time zone differences, and cultural nuances while ensuring fairness and professionalism. Building trust with interviewees is essential, especially for those in vulnerable positions, and this starts with clear communication, a neutral and respectful environment, and sensitivity to individual circumstances. Tools like electronic recordings and written summaries help maintain accuracy and transparency, while careful preparation ensures interviews remain focused and productive.

Equally important is addressing potential biases and non-verbal cues that may be harder to interpret remotely. Investigators should approach interviews with an open mind, be aware of cultural differences, and create an atmosphere that encourages honest and open dialogue. Training, consistent practices, and adherence to organizational policies are crucial for maintaining integrity and fairness. While some organizations share interview recordings to support transparency, others limit access to protect against misuse, underscoring the need for balanced policies that promote trust and due process.

WS 8: Post-Investigation: Measuring Effectiveness and Assessing Impact

The speakers agreed that trying to measure the effectiveness and assessing impact of investigations is a difficult task and far from being an exact science. The metrics discussed were, broadly, quantitative and qualitative.

Commonly, the quantitative measure is counting the number of cases and cases closed to give a picture of what has been done. It was noted here that the risk is focusing on the numbers, and on the clock, rather than on the quality and thoroughness of the investigation.

The qualitative measure, however, is more on the *hows* and *whys* of the process to assess impact. A few specific ways discussed to assess impact, internally, is self-assessment, benchmarking and staff survey.

Another point of view on the impact of investigation is on integrity compliance programs. It was noted that the change in behavior, or the "rehabilitation" so to speak, of a debarred entity, may be considered an impact of investigation. Because of the investigation and its findings, an entity is debarred and undergoes a compliance program to improve its internal controls and the way it does business. This is a positive impact started by an investigation and its findings.