Management response and Action Plan

Name of the report:	External review of the Council of Europe Investigations Function		
Date of the report:	30 October 2025	Date of Action Plan:	12 February 2026

Overall management response to the report:

The Council of Europe would like to acknowledge the work done by the external review team. The frank and constructive discussions on the various issues were highly valuable and have catalysed a thoughtful reflection, within the Organisation and DIO in particular. It encouraged reflecting on and critically reviewing its processes and the legal framework underpinning the investigation function. The team's professionalism and subject-matter expertise are appreciated and the Council of Europe believes the review will be instrumental in advancing the investigation function and strengthening accountability across the Organisation. The Organisation appreciates that the report goes beyond the core investigation function and identifies some items that refer to the general accountability framework.

The report is timely, aligning with ongoing efforts to strengthen the Organisation's accountability framework and investigation function. The recommendations are highly appreciated, and the Council of Europe is carefully considering how to best implement them in the current resource-scarce environment.

The report points to critical areas for improvement to enhance the function's effectiveness and efficiency. Addressing them will allow the Council of Europe investigation function to move closer to international **best practices** and **the uniform principles and guidelines for investigations**[1]. Further, it encourages the Council of Europe to develop procedures for proactive investigations, vendor exclusion and sanctioning mechanism currently not in place.

Most of the recommendations will be addressed by updating the **Organisation's legal framework** (Staff Regulations and Staff Rules, Code of Conduct, Speak Up Policy, Policy on Respect and Dignity, Rule on Investigations, and other administrative issuances). The following shall be considered in this regard:

- The **Speak up Policy** should primarily include general obligations to report, clear legal definitions (including "wrongdoing"), protection against retaliation for all DIO activities; and roles and responsibilities. Procedures should be referred to rather than replicated.
- The **Policy on Respect and Dignity** should be merged with the Speak Up Policy. Procedures should be referred to rather than replicated.
- The **Rule on Investigation** should focus on the investigation procedures.

In addition to these specific issues the review of the legal framework should focus on eliminating duplications, gaps, and inconsistencies. The "*legal lacuna*" detected in the report in terms of processes in the Court and PACE will be addressed in line with the overall legal framework. The items that the more specific recommendations raise with regards to the legal framework will be addressed in this revision.

Management has already endorsed consolidating harassment investigations under DIO and has responsibilities to ensure availability of resources depending on the Organisation's risk appetite.

The DIO will finalise internal guidance and templates for harassment case-handling and draw on external expertise where necessary. In addition to the training done already on victim-centred approach, the DIO will also identify additional training needs and will pilot optional involvement of HR/Ethics support personnel during initial victim meetings, with clear roles and safeguards.

[1] The CII Uniform Principles and Guidelines, as well as CII General Principles for Core Investigative Activities, Financial Forensics and Proactive Integrity Risk and Fraud Detection Activities, are published on the website of the Conference of International Investigators (https://www.ciinvestigators.org/cii-guidelines/).

When reflecting on how far the Council of Europe can go with regards to the duty to cooperate, it will consider the standards of fair process set by the European Court for Human Rights, in particular the right to avoid answering questions that might lead to self-incrimination, as well as the practices of some other organisations.

ACTION PLAN

N	Theme	Recommendation	Management decision[2]	Entity in charge[3]	Planned actions[4] (determined by entity)	Justification for non-acceptance[5]	Target date for action	Person responsible for action
1	Protection from Retaliation (refer to Section 3)	The Speak Up Policy should include protection from retaliation in all interactions with DIO, and not just investigations.	☒ Accepted ☐ Partially accepted ☐ Rejected	DGA	The DIO will contract the services of an external independent expert to prepare the first step of a legal review of the legal framework with a view to making the concrete proposals. This will then be further examined and, as appropriate, implemented through a coordination with DGA, DLAPIL, the Ethics Officer, and Staff Committee.		December 2026	
2	Definitions of wrongdoing and other prohibited conduct (refer to Sections 4.1 and 4.2)	Benchmark definitions across peer organisations to identify improved wording in terms of clarity and constitutive elements of proof. Avoid using definitions that introduce criminal concepts.	☒ Accepted ☐ Partially accepted ☐ Rejected	Benchmarking DIO with help of consultant. DGA improvement of the legal framework.	Benchmarking of definitions across CII organisations appearing in open sources (around 60 member organisations). Based on that, the DGA shall consider possible improvements of the definition of wrongdoing.		Benchmarking June 2026 Review of the framework December 2026	
3	Right against self-incrimination and obligations to cooperate with an investigation (refer to Section 4.3)	Conduct a benchmarking and legal analysis as to whether such a broad approach to staff rights against self-incrimination is in line with best practices or otherwise warranted.	☒ Accepted ☐ Partially accepted ☐ Rejected	DIO for benchmarking (outsource) DLAPIL legal analysis.	The Council of Europe will conduct a benchmarking exercise and analyse the possibility to strengthen the obligations of staff and other persons involved in Council of Europe activities. Potential to strengthen obligation to cooperate in employment and other contracts (ongoing). Respecting the limitations with regards to the general legal standards regarding the right against self-incrimination.		Benchmarking June 2026 Review of the framework December 2026	

[2] The management decision is in relation to the Recommendation (Accepted, Partially accepted, Rejected).
[3] Initial suggestion – to be defined/updated by management.
[4] For implementing accepted recommendations.
[5] For recommendations that are partially accepted or rejected.

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4	Investigative mandate and coverage across institutions (refer to Section 4.4)	Agreement regarding covered parties should be reached, and those not covered by the Council of Europe policies should be covered under similarly detailed procedures under the authority of the respective organisations.	☒ Accepted ☐ Partially accepted ☐ Rejected	PO	PO to decide on short-term and long-term solutions, following consultations with DGA, in coordination with DIO, DLAPIL, the Ethics Officer, and Staff Committee. Short term processes need to be available to handle investigations should they concern PACE members and judges of the European Court of Human Rights ("the Court") taking into account their specific status. Long term solutions will elaborate how PACE and the court will manage investigations in line with the Organisation's regulatory framework.		December 2026 December 2027	
5	DIO management of harassment investigations (refer to Section 4.5)	Update policy and staff training to reflect the transfer of responsibility and ensure the wording of investigation policy is suitable for harassment cases (see Section 6.5). Ensure adequate staff resources and/or adequate financial resources to engage external experts. Consider a procedure for including staff support functions in interviews with victims of harassment or other forms of personal harm.	☒ Accepted ☐ Partially accepted ☐ Rejected	DIO	The DIO will contract the services of an external independent expert to prepare the first step of a legal review of the legal framework with a view to making the concrete proposals. This will then be further examined and, as appropriate, implemented through a coordination with DGA, DLAPIL, the Ethics Officer, and Staff Committee.		Legal framework December 2026	
6	Case Review Processes (refer to Section 4.6)	The Rule on Investigations should more clearly define roles and scopes of review in terms of determination of wrongdoing and disciplinary actions. Staff Regulations and Staff Rules should specify the standard of review conducted by the Secretary General – including the standard of	☒ Accepted ☐ Partially accepted ☐ Rejected	DIO	The DIO will contract the services of an external independent expert to prepare the first step of a legal review of the legal framework with a view to making the concrete proposals. This will then be further examined and, as appropriate, implemented through a coordination with DGA, DLAPIL,		December 2026	

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		proof to be applied and whether such review is considered de novo, clearly erroneous or other level of deference to DIO findings. The Rule of Investigations should also include reference to key roles and responsibilities for those that support the Secretary General in making any decision (i.e. role of the legal department or HR in assessing the case at hand).			the Ethics Officer, and Staff Committee.			
7	Recommended changes to the automatic investigation of alleged harassment by the victim's supervisor (refer to Section 4.7)	The Policy on Respect and Dignity should be revisited to ensure that all allegations, including those tied to sexual harassment or harassment involving a supervisor, are subject to same standards of review.	☒ Accepted ☐ Partially accepted ☐ Rejected	DIO	The DIO will contract the services of an external independent expert to prepare the first step of a legal review of the legal framework with a view to making the concrete proposals. This will then be further examined and, as appropriate, implemented through a coordination with DGA, DLAPIL, the Ethics Officer, and Staff Committee.		December 2026	
8	Recommended inclusion of sexual exploitation and abuse as a defined form of wrongdoing (refer to Section 4.8)	An SEAH policy, or broadening the definition of wrongdoing in existing policies to include sexual exploitation and abuse should be considered.	☒ Accepted ☐ Partially accepted ☐ Rejected	DIO	The DIO will contract the services of an external independent expert to prepare the first step of a legal review of the legal framework with a view to making the concrete proposals. This will then be further examined and, as appropriate, implemented through a coordination with DGA, DLAPIL, the Ethics Officer, and Staff Committee.			
9	The current resourcing model is not satisfactory to ensure timely investigations across an expanded mandate	A hybrid model of core staff and individual consultant investigators may be more appropriate for the DIO, particularly as it takes on the added mandate of harassment investigations. The core investigations team needs	☒ Accepted ☐ Partially accepted ☐ Rejected	DIO	The DIO will organise a procurement procedure and establish a list with potential service providers supplementing the core investigation team. The DIO will discuss with the relevant stakeholders the		May 2026	

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	(refer to Section 5)	to be recruited from applicants with an appropriate level of investigations training and experience.			appropriate level of staffing for the investigation function. The system suggested by the external reviewers – namely, to staff the DIO by two senior investigative staff, which includes the Head of Investigations and one Senior Investigator – to be considered as a viable solution. Internal structure of the DIO might need to be adjusted to this. Different options for the mix of staffing and outsourcing will be produced and discussed with relevant stakeholders.		Options to be developed by June 2026	
10	Staff awareness regarding wrongdoing reporting	Questions relating to staff understanding of their obligations on reporting (who to report to, what to report, etc.) should be included in a future all-staff survey. Investigation Division staff should consider dedicating more time to fostering trust with a network of key stakeholders	☒ Accepted ☐ Partially accepted ☐ Rejected	Ethics Officer and/or DHR DIO	The Organisation will develop and conduct regular staff surveys including questions on reporting obligations. The Investigation Division will organise regular meetings with key stakeholders (e.g. DHR, Ethics officer, Procurement, Court, DIT, TPA, Internal Control Officer, Confidential Counsellors, Staff Committee, external offices, etc.) to foster outreach and enhance trust within the Organisation.		June 2026 April 2026	
11	Fraud Risk Assessments – transfer of responsibility	Transfer Fraud Risk Assessments to the Central Coordination and Risk Office –a second line function that can be supported by DIO, as required.	☒ Accepted ☐ Partially accepted ☐ Rejected	DGA DIO to hand over methodology	DGA will consider possible options and make necessary arrangements. The DIO will consecutively transfer the methodology and knowledge.		June 2026	
12	Transversal Fraud Risk Assessments	Some processes require an overview of multiple MAEs, e.g. procurement process from requisition to approval to purchase	☒ Accepted ☐ Partially accepted ☐ Rejected	TBD depending on 11	The entity assigned the task will consider how to best integrate transversal risks.		June 2027	

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		process to receipt and payment. It is recommended that the methodology be adapted to introduce transversal Fraud Risk Assessments.						
13	All Fraud Risk Assessments should include remedial measures	FRAs should explain existing mitigation / effectiveness, identify controls absent and provide recommendations for further mitigation.	☒ Accepted ☐ Partially accepted ☐ Rejected	DGA	The entity assigned the task will ensure the report includes references to remedial measures.		June 2027	
14	Review Fraud Risk Assessment planning documents	Recognise that spreadsheet based FRAs provide a basic template but that strict adherence may lead to key risks being overlooked.	☒ Accepted ☐ Partially accepted ☐ Rejected	DGA	The entity assigned the task will develop the methodology further to ensure all risks are covered.		June 2027	
15	Follow-up and implementation of recommendations from Fraud Risk Assessments	The necessary follow-up and reporting back process should also be clearly set out in the FRA final report.	☒ Accepted ☐ Partially accepted ☐ Rejected	DGA	The recommendations from Fraud Risk assessments will be followed up twice yearly.		June 2027	
16	Data Protection (refer to Section 7)	The requirement under to delete the original audio recordings of interviews after the making of a transcript (paragraph 66 of the Rule on Investigations) should be removed. The requirement to delete personal data from assessment and investigation files during the 5 and 10 year retention periods (paragraphs 86 and 87 of the Rule on Investigations) should be removed.	☒ Accepted ☐ Partially accepted ☐ Rejected	DIO	The DIO will contract the services of an external independent expert to prepare the first step of a legal review of the legal framework with a view to making the concrete proposals. This will then be further examined and, as appropriate, implemented through a coordination with DGA, DLAPIL, the Ethics Officer, and Staff Committee.		December 2026	
17	Streamlining of processes (refer to Section 8.1)	The initial screening process should be streamlined. Consideration should also be given to a more effective way of recording witness interviews, rather than the resource-intensive process of recording and transcribing all witness interviews.	☒ Accepted ☐ Partially accepted ☐ Rejected	DIO	The DIO will review the process of investigation and streamline the process for the initial screening. The option to replace witness interviews with witness statements will be considered to improve efficiency. The legal implications will be assessed.		June 2026	PPM

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18	Investigation timelines (refer to Section 8.2)	Consideration should be given to setting a reasonable (and extendable) time limit for the 'investigation process' or the 'handling of a case' – i.e. from receipt of the allegation through to closure, rather than the current policy approach of only setting a time-limit for the actual investigation phase, which does not commence until the screening and preliminary assessment processes have been completed.	☒ Accepted ☐ Partially accepted ☐ Rejected	DIO	The DIO will contract the services of an external independent expert to prepare the first step of a legal review of the legal framework with a view to making the concrete proposals. This will then be further examined and, as appropriate, implemented through a coordination with DGA, DLAPIL, the Ethics Officer, and Staff Committee.		December 2026	
19	Investigations Procedures (refer to Section 8.3)	The Investigations Division should consider developing an investigations manual and an appropriate catalogue of templates for investigations	☒ Accepted ☐ Partially accepted ☐ Rejected	DIO (possibly with the assistance of external resources)	The DIO will review the process of investigation and add to existing templates with a view to increase efficiency and consistency of the process. Feedback on new processes will be obtained from PO, DLAPIL, and other relevant stakeholders, as needed. Adjustments will be done accordingly.		September 2026	
20	Format and content of investigation reports (refer to Section 8.4)	Investigation reports could benefit from placing less emphasis on outlining the investigation process and placing more emphasis on the executive summary and the specific evidence relevant to the allegations so that the reader can quickly understand the allegation and resulting findings of the investigation. Recommendations should be mindful of post-investigation decision making authority (i.e., that DIO is not the decision maker in disciplinary or other post-investigation actions).	☒ Accepted ☐ Partially accepted ☐ Rejected	DIO	The investigation report template and guidance on how to structure investigation reports will be amended. External service providers will receive the template and guidance, and the DIO will ensure the new structure is implemented. A structured feedback process from users will be established to continuously improve the report structure. Feedback on new processes will be obtained from PO, DLAPIL, and other relevant stakeholders, as needed.		June 2026	

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		Recommendations should be worded '*for consideration*' where the decision maker is not DIO (i.e. steps and factors to be considered rather than concrete recommendations). Reports should include information relevant to the decision maker including. Any identified aggravating or mitigating factors.						
21	Interim Measures Process (refer to Section	Clarification should be made regarding the content of submissions and standard of review applied for interim measures, which should be lower than the standard of clear and convincing (e.g. reasonable suspicion).	☒ Accepted ☐ Partially accepted ☐ Rejected	DIO	The DIO will contract the services of an external independent expert to prepare the first step of a legal review of the legal framework with a view to making the concrete proposals. This will then be further examined and, as appropriate, implemented through a coordination with DGA, DLAPIL, the Ethics Officer, and Staff Committee.		December 2026	
22	Investigation Access Clauses (refer to Section 8.6)	Contractual access clauses should be implemented as a matter of priority, ensuring access and cooperation in the event of an (external) investigation.	☒ Accepted ☐ Partially accepted ☐ Rejected	DLAPIL	DLAPIL and DGA will review the respective templates and legal instruments inserting necessary adjustments enforcing investigation access rights and duty to cooperate with investigations covering Secretariat members as well as any other persons involved in the Organisation's activities. However, ultimately this will form part of the review of the legal framework (led by DGA, in coordination with DIO, DLAPIL, the Ethics Officer, and Staff Committee) and might need to be further adjusted in that context.		June 2026 Review of the framework December 2026	

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23	Proactive investigations (refer to Section 9.9)	Consideration should be given to introducing risk-based, proactive investigations into areas identified as having a higher risk of fraud (e.g., medical insurance, travel claims, procurement). It is recommended that the DIO align this function with the proactive models used by the UN (e.g. the proactive investigation functions of UNDP and WFP), Multilateral Development Banks, (e.g., EIB's proactive integrity reviews) and other international organisations.	☒ Accepted ☐ Partially accepted ☐ Rejected	DIO	When developing the different models for staffing and operations (see also recommendation 9), the DIO will include options that will allow the DIO investigation function to include risk-based proactive investigations into key areas of higher risk.		December 2026	RS
24	Vendor Sanctions (refer to Section 9.9)	It is recommended that Council of Europe coordinate with other international organisations on the implementation of an appropriate vendor review/sanctions process.	☒ Accepted ☐ Partially accepted ☐ Rejected	DLAPIL	Reach out to other international organisations to assess the feasibility of a coordinated vendor review and sanctions process. Include the process in the legal framework if deemed feasible.		December 2026	

Abbreviations	
Court	European Court of Human Rights
DGA	Directorate General of Administration
DHR	Directorate of Human Resources
DIO	Directorate of Internal Oversight
DLAPIL	Directorate of Legal Advice and Public International Law
DPO	Data Protection Officer
EIB	European Investment Bank
MAE	Major Administrative Entity
PACE	Parliamentary Assembly of the Council of Europe
PO	Private Office of the Secretary General and Deputy Secretary General
TPA	Treasury, Payments and Accounting
UN	United Nations
UNDP	United Nations Development Programme
WFP	United Nations World Food programme