



Barcelona, December 12, 2025

## **CLARIFICATIONS**

### **Procedure: Oversight Committee's Support Unit - 05 - PRO631LAD-2025**

With reference to the above-mentioned procedure, please find below the answer to the question posed by the interested company:

#### **REQUEST FOR CLARIFICATIONS Nr. 2 (dated Tuesday 09/12/2025 at 18:07)**

##### **Question 1: *Referring to ToR 4.1.1: General description of the assignment***

- a. How is the agenda set-up defined? Should the agenda be developed by the Support Unit, or is the role mainly to communicate the finalized agenda to the participating stakeholders?*
- b. Is there a central booking platform available for booking flights, hotels and meeting rooms?*

##### **Answer:**

- a. The agenda of the meetings is decided by the UfM-OC members. The Secretary of the OC, chosen by the members from among themselves, liaises with the Support Unit for organizational purposes. The Support Unit may suggest or propose items for discussion based on its technical expertise (e.g., steps in an investigation) and in line with the UfM-OC Rules of Procedure. However, the final decision on the agenda rests with the OC members.
- b. The booking of flights and accommodation for attendance at official meetings (e.g., Senior Officials Meetings) is managed by the UfM Secretariat according to its internal rules and through the UfM-selected travel agency. The Support Unit's role is to coordinate with the Secretariat, when necessary, to ensure that all required information (dates, times, origin, documentation such as passports, etc.) is available for smooth arrangements.

##### **Question 2: *Referring to ToR 4.2. Specific activities. What is the approximate weighting of the 5 blocks mentioned in 4.2? (in %)***

**Answer:** It is not possible to assign precise percentage weightings to the five blocks mentioned in section 4.2 of the Terms of Reference. The distribution of effort will depend on the priorities set by the UfM-OC and the number and complexity of cases handled at any given time. The main task of the UfM-OC is to process and investigate allegations of misconduct. Therefore, Block 3 (Dealing with reports of alleged misconduct) will take priority whenever cases arise. The other blocks—such as clerical support, legal support (primarily related to cases), and preparing reports—are considered accessory tasks that support the core investigative function.



Nevertheless, a minimum level of activity in the other blocks can be expected, even in the absence of investigations.

**Question 3: Referring to ToR 4.2. Specific activities.**

- a. *At what intervals does the UfM Oversight Committee meet? How many meetings, for which organizational support might be needed, with how many participants (roughly) take place per quarter/per year?*
- b. *Is the Support Unit primarily expected to handle the conceptual and implementation tasks, or is the role more focused on reviewing and potentially supplementing the work performed by the OC?*
- c. *Are there currently established procedures and processes in place for administrative support, or will it be necessary to develop appropriate structures from scratch?*

**Answer:**

- a. The UfM Oversight Committee (OC) meets at least quarterly for ordinary meetings, but additional meetings may be scheduled as needed, particularly to discuss cases. Meetings are normally held online. The OC is composed of three members. Unless the purpose of the meeting requires broader coordination (e.g., with the Secretariat), participants are typically limited to the OC members and the Support Unit as needed.
- b. The Support Unit is primarily expected to handle the operational and technical aspects of investigations, including conducting interviews, performing forensic analysis of documentation, and preparing reports. The OC retains responsibility for strategic decisions and determining next steps, based on the recommendations provided by the SU.
- c. The UfM Rules of Procedure define the responsibilities of the OC and outline the main phases of investigations. However, there are no strict procedures currently established for administrative support. These will need to be developed and adapted as required by the OC, depending on the nature of the tasks.

**Question 4: Referring to ToR 4.2.1 Block 2: Advisory activities**

- a. *What specific requirements exist regarding training activities (number, frequency, target groups) to be conducted as part of awareness raising and training tasks?*
- b. *Which trainings have been conducted in the past three years? What topic have been trained?*
- c. *Are trainings to be conducted on site, or can they be conducted remotely via Videoconference or using offline training materials in self study?*

**Answer:**

- a. The number and frequency of training activities will be determined by the UfM Oversight Committee (OC) based on identified needs, budget availability, and priorities. The primary target group is expected to be the organization's staff, which consists of approximately 70 people.
- b. A training session (approx. 2h) on the Code of Conduct and the use of the Ethical Line was conducted when the Ethical Line was launched at the beginning of 2025. Additionally, an FAQ document was prepared to support awareness and understanding.



c. The format of future trainings will be decided by the OC taking into account cost, availability of participants, and logistical considerations. Trainings may be conducted on-site, online via videoconference, or through offline materials for self-study, or a combination of these methods.

**Question 5: Referring to ToR 4.2.1 Block 3: Dealing with reports of alleged misconduct**

- a. *What is the expected volume and nature of reports (e.g., number, complexity) submitted through the Ethical Line that the Support Unit is supposed to handle?*
- b. *How many reports have been submitted through your application in the past 3 years?*
- c. *How many reports have been submitted through different channels (E-Mail, Letter, Word of Mouth) in the past 3 years?*
- d. *Are there any existing templates of previous reports and investigations?*
- e. *How many forensic investigations resulted from reported incidents in the past 3 years?*

**Answer:**

a. It is difficult to provide an exact estimate, as reports are handled confidentially by the OC and may be grouped if they refer to the same or related facts. However, it is expected to receive approximately 2 to 3 reports annually, with varying degrees of complexity.

b. Since the Ethical Line was launched at the beginning of 2025, about 10 reports have been received. This number may have been higher than average due to the initial awareness campaign and is expected to stabilize at a lower level going forward. Of these, two reports led to more complex investigations, with most reports considered inadmissible.

c. Reporting through the Ethical Line is strongly encouraged. No reports submitted through other channels (e-mail, letter, word of mouth) have led to investigations.

d. The UfM-OC Rules of Procedure include templates for use in the different phases of investigations. Investigation reports can be drafted as needed under the guidance of the OC.

e. Two investigations required forensic analysis.

**Question 6: Referring to ToR 4.2.1 Block 5: Legal support**

- a. *Is it expected that legal support is given by the applicant organization itself, or can a subcontractor be tasked with it?*
- b. *For which jurisdictions is legal support requested? Is it EU-law and Spanish law, or are there additional jurisdictions to be considered? If yes, which jurisdictions?*
- c. *How often was legal support required in connection with ethical breach in the past 3 years?*
- d. *How extensive was the legal support overall? How many hours were spent each year?*
- e. *Must the legal support costs be covered by the given budget of EUR 450.000?*

**Answer:**

a. Legal services can be subcontracted to another provider on a case-by-case basis, with prior authorization and under the supervision of the UfM Oversight Committee (OC).



- b. Legal support refers to the legal framework applicable to the UfM as an international organization based in Spain. This includes the privileges and immunities under the Headquarters Agreement, including immunity from legal process before Spanish Courts, as well as internal regulations such as the Staff Regulations, Code of Conduct, and Anti-Fraud and Anti-Corruption Policy. Knowledge of international and diplomatic law is essential, along with EU law where applicable, for example in areas such as procurement and GDPR compliance. Disputes between staff and the UfM are resolved through arbitration until the jurisdiction of the ILO Administrative Tribunal (ILOAT) is recognized, which is expected in 2026.
- c. Legal support has mainly been required in connection with cases under investigation and for issuing recommendations. In the past three years, two cases required legal assessment.
- d. It is estimated that approximately 20 working hours per investigation are dedicated to legal assessment.
- e. Yes, legal support costs must be covered within the allocated budget of EUR 450,000.

**Question 7:** *Referring to ToR 4.2.2 Form of support and language. How often was oral support as mentioned in 4.2.2 at UfM-OC meetings done each year in the last three years requested. How many hours have been spent on these activities?*

**Answer:** The frequency and duration of oral support at UfM-OC meetings depend on the number of meetings required, which in turn depends on the reports received and the tasks to be addressed. Considering that there should be at least one meeting per quarter, oral support activities can be estimated at approximately 30 hours per year.

**Question 8:** *Referring to ToR 6.5 Incidental expenditure*

- a. *To confirm our understanding: Is the total incidental expenditure budget of EUR 15,000 allocated for the entire three-year contract period, with approximately EUR 3,000 per year already earmarked for the Integrity Line license fees, effectively reserving around EUR 9,000 for this purpose over three years?*
- b. *Is the incidental expenditure budget additional or included in the EUR 450,000?*

**Answer:**

- a. Yes, the total incidental expenditure budget of EUR 15,000 is allocated for the entire three-year contract period. Approximately EUR 3,000 per year is earmarked for the Integrity Line license fees, effectively reserving around EUR 9,000 for this purpose over three years.
- b. The incidental expenditure budget is included in the overall budget of EUR 450,000, not additional to it.