

What to do if you are named in a Notice of Sanctions Proceedings

Refer to the [FAO Vendor Sanctions Procedures](#) (online and at Annex A). Most importantly, you should note and consider:

- 1.** If you have received a Notice of Sanctions Proceedings (“NSP”), you are a Third Party respondent in a Sanctions Proceeding at FAO. This could mean that you, or an entity you represent, are believed to have been involved with practices that are prohibited by FAO in its procurement processes (Section 1.2.14).
- 2.** Any person or company who is a current supplier to FAO, or that has offered its goods or services to FAO, including an implementing partner, can be a Third Party in an NSP. If you believe you have been involved by mistake, please contact the Secretary of the Vendor Sanctions Committee (“VSC”). Instructions are on the NSP.
- 3.** Read the NSP thoroughly, including the instructions and all the exhibits (Section 3.2.2).
- 4.** If the NSP includes temporary suspension, you will not be allowed to participate in any new procurement actions with FAO, pending the end of the proceedings.
- 5.** Respond to the NSP and meet the deadlines. The response must be signed by an individual respondent, or its authorized agent, to confirm that the information is truthful and correct to the best of the signer’s knowledge (Section 3.3.1). If you need extra time to prepare, request an extension in writing by email to the Secretary (Section 10.3). Keep in mind that if you do not reply, the VSC will consider all the allegations to be admitted in full (Section 3.3.1).
- 6.** Back up your arguments with documentation. The VSC will carefully consider any information you wish to share with FAO (Section 3.3.1). If the originals are not in English or another official language of FAO, please provide translations (Section 10.4).
- 7.** If, over the course of the proceedings, you find that the allegations against you or your company are true, make sure that your response includes admissions. You should also properly state and document any mitigating circumstances, and provide explanations for aggravating circumstances, if any (Section 3.3.1).
- 8.** If you believe that the allegations in the NSP are true, or if you find any new and relevant information that makes you agree with FAO’s allegations, you may end the proceedings by settling the case (Section 4).
- 9.** All of your interactions with the VSC will be in writing and through the VSC Secretary (Section 1.3.4). The VSC sits at FAO Headquarters in Rome.
- 10.** Once the record of the case is complete, the VSC will make a determination concerning your involvement. If you are found to have been involved, the VSC will recommend a sanction. If the VSC determines you were not involved, the matter will be closed and any interim suspensions will be lifted (Section 5.1). At the end of the proceedings, you will be informed of the outcome of the case by the Secretary of the VSC.
- 11.** The most serious sanction is debarment (Section 5.1.2(e)). A debarred vendor is ineligible to participate in any FAO procurement action until such time as the vendor is rehabilitated by the VSC (Section 7.1.1).
- 12.** FAO does not publish a list of sanctioned vendors on its public website. However, it shares information on sanctioned vendors with the agencies, funds and programmes of the United Nations System through the UN Ineligibility List (Section 5.2.4).