



## FICSA Council

### 70th Session

WHO Global Service Centre, Malaysia  
Kuala Lumpur, 13 to 17 February 2017

## REPORT OF THE 70<sup>TH</sup> SESSION OF THE FICSA COUNCIL



*Theme: "Advocating for a sustainable and resilient international civil service  
for the world community"*

Geneva, 24 March 2017

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<sup>1</sup> Discussed during the meeting of the Ad hoc Committee on Strategic Development.

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# Report of the 70<sup>th</sup> session of the FICSA Council

WHO Global Service Centre, Malaysia  
Kuala Lumpur, 13 – 17 February 2017

## Opening of the session (Agenda item 1)

1. Mr. Diab El-Tabari (UNRWA/ASA), President of FICSA, opened the session at 9.40 a.m. and introduced Mr. Fansuri Sheikh Feruq, President of the WHO/Global Service Centre (GSC) Staff Association, who addressed the participants (see Annex 14 for list of participants) on behalf of the Staff Association and the staff of WHO/GSC at large. The Federation had last held a Council session in Malaysia some thirty years previous; he was thus most pleased to welcome its members back. He also thanked FICSA and its Executive Committee for having approved the admission of the WHO/GSC Staff Association to the Federation.

2. The new challenges emerging from current global developments presented the United Nations system with an opportunity to accomplish greater things and overcome the problems that the future held. The FICSA Council would be addressing a number of important matters that were of relevance to staff around the globe. He appealed to all to close ranks, set aside any differences and support each other. He hoped that FICSA would grow and reach still greater heights in the years ahead. In closing, he wished the delegates every success in their deliberations and a pleasant stay in Malaysia.

3. Mr. El-Tabari then introduced Dr. Graham Harrison, WHO Representative to Malaysia, Brunei and Singapore, who was also representing Mr. Jakob Simensen, the United Nations Resident Coordinator ad interim for Malaysia.

4. Dr. Harrison bade the participants welcome on behalf of the United Nations Country Team. Over the past two years, the International Civil Service Commission (ICSC) had extensively reviewed the terms and conditions of work for international Professional staff. He could well imagine the significant amount of time that the compensation package had occupied in terms of the work devolving upon the FICSA delegates and the member associations/unions.

5. At first sight, Malaysia gave the appearance of being a comfortable upper-middle class country for United Nations staff to live and work in. That notwithstanding, the earlier terms and conditions had had a significant adverse impact on international staff with families to support: a particular case in point being the education grant. The level of discrepancy was such that staff posted to Kuala Lumpur had had to draw on savings or take out loans in order to be able to live at the duty station. Fortunately, the new education grant system provided for an increase of some 20 per cent in the level of reimbursement for school fees, not including the very high initial admission and related one-off fees. Thus, as one of the beneficiaries of the lengths to which everybody had gone, he was most grateful to all those involved in representing staff.

6. The exercise was on the brink of a second stage: the review of terms and conditions for local staff. In Malaysia, the methodologies used to gather data for local salary surveys did not work well. Numerous local companies were unwilling to share data with the United Nations which they saw as a competitor. That had led to the establishment of a second, significantly discounted local salary scale. That, in turn, had had a dual impact: it delayed the possibility of future salary increases and restricted the organizations' ability to recruit good staff. Dr. Harrison was convinced that access to more comprehensive commercial sets of data would not only be more suitable, but also yield much more appropriate comparisons for the purpose of setting United Nations salary scales.

7. On a broader scale and in the light of the experience he had gained while working in one regional office and two country offices, Dr. Harrison saw the potential to address other challenges. As the common system organizations strove to work together more closely and even housing their staff on common premises, tensions could arise when staff performing the same work were awarded different types of contracts or classified at different levels. A case in point was the body of long-serving staff in the General Service (GS) category, who invariably constituted the institutional memory of an organization: the repository of knowledge about its policies, procedures and history. They often provided guidance to GS and Professional staff alike. Nonetheless, the career prospects of GS staff did not extend beyond G-6 or G-7.

8. It was to be hoped that as work progressed on reviewing the terms and conditions for local staff, the above and many other issues could be addressed. Dr. Harrison conceded that certain aspects of the review would in all likelihood prove more complex than those in the previous review, further to which the organizations were under serious budgetary constraints. For all that, however, it was essential that everybody should ensure and support strong advocacy and negotiation for their national colleagues.

9. In closing, Dr Harrison reminded the delegates that Kuala Lumpur was a large metropolitan city and petty crime did occur on occasion. Caution was thus of the essence and everybody had to carry identity documents with them. He wished the delegates all the best for their deliberations, as well as a safe and healthy stay and return journey back home.

10. Mr. El-Tabari went on to introduce Ms. Noni Mafabune, Coordinator of Global Finance, WHO/GSC. On behalf of Mr. Francisco Cardenas, Director of the WHO/GSC. Ms. Mafabune extended a warm welcome to the delegates. Malaysia was a beautiful and truly amazing country with the traits of both a third world and first world nation. WHO/GSC was honoured to be hosting the 70<sup>th</sup> session of the FICSA Council.

11. Ms. Mafabune was always mindful of the fact that she was a staff member first and last, and in between those two poles in management. She wished to commend FICSA on its work from its very lowest levels to the highest. The value of the Federation's contribution to the lives of all staff members throughout the common system could not be doubted.

12. She attached particular significance to the evolution of shared service centres, such as WHO/GSC. Throughout the system that development had brought with it discussions about national officers performing work for and at the global level. That particular topic, she trusted, would be taken up during the upcoming compensation review. Some ten years back, Ms. Mafabune had worked in the private sector where, despite working well, she had often felt threatened and uneasy. Her desire to find a setting, in which her basic human rights would be respected, and her wish to improve the lot of mankind had ultimately led her to the United Nations: a move that had also been prompted by her awareness of FICSA.

13. Since joining, she had recognized the Federation's input into the rules and decisions and its consultations with senior staff for the betterment of each and every staff member. She was proud to be part of the current gathering. In concluding, she stressed the need to put aside grades and engage with each other objectively. As she had said at the outset, everybody was a staff member first and last; in between was the work for which they were hired. She welcomed delegates to Malaysia and urged everybody to feel at home there.

14. The FICSA General Secretary, Ms. Gemma Vestal (WHO/HQ Geneva), read out the message from the Secretary-General of the United Nations to the opening session of the 70<sup>th</sup> FICSA Council. It read as follows:

*It is a pleasure to greet the Federation of International Civil Servants' Associations.*

*As the United Nations strives to better serve the world's people, we need to adapt to fast-changing environments, overcome the divisions that hinder our work, and make sure that our efforts translate into real results on the ground.*

*Changing the way we work was one of the main pledges I made when I was sworn in as Secretary-General. We need to pursue greater simplification, decentralization and flexibility, in a context of transparency and accountability. I am also strongly committed to achieving gender parity.*

*Reform of the UN system can only succeed in close dialogue and consultation with staff. Strong and cooperative staff-management relations are indispensable for a stronger United Nations. I thank FICSA for its efforts and for your commitment to our efforts to advance peace, sustainable development and human rights for all. Please accept my best wishes for a productive meeting.*

15. Mr. El-Tabari then welcomed the delegates to the 70<sup>th</sup> session of the FICSA Council. He paid tribute to the kindness and hospitality of everybody who had been involved in the preparations for the meeting. He also expressed his thanks to the regional representatives, the members of the Executive Committee and others who had contributed to the drafting of the programme for the current session. He was most grateful to the staff of the FICSA secretariat. They had gone to great lengths in coordinating all the logistic arrangements; it bore testimony to their professionalism and efficiency.

16. Not only would the delegates be faced by a lengthy agenda, but they would also be confronted by still greater challenges. Two cases in point were: (i) the rapidly growing number of outposted United Nations staff members as the United Nations went about outsourcing its services; and (ii) the safeguarding and securement of working conditions for General Service staff in an increasingly competitive environment. Those and other pressing concerns made for the lengthy agenda. He was confident that Council would once again rise to the occasion and address all matters with the close attention they deserved.

17. The FICSA President then invited Mr. Wolfgang Stoeckl, Vice-Chairman of the ICSC, who was accompanied by Mr. Yuri Orlov, Chief of the Salaries and Allowances Division of the ICSC Secretariat, and Mr. Ibrahim-Yorie Yansaneh, Chief of the Cost-of-Living Division, to deliver the keynote address.

18. Mr. Stoeckl thanked FICSA for its kind invitation to participate in the 70th FICSA Council meeting. He noted that FICSA with its long tradition of representing staff was far older than the ICSC itself. He conveyed greetings from Mr. Kingston Rhodes, ICSC Chair, who had been unable to attend the session.

19. The membership of the Commission had recently increased with the entry to its ranks of the Preparatory Commission for the Comprehensive Test-Ban-Treaty organization (CTBTO). Over the past three and a half years, the focus of the Commission's work had been on the

review of the common system compensation package, the first phase of which had been completed in the latter part of the previous year. Following approval by the General Assembly, many of the proposals had been implemented by the common system organizations. None of those accomplishments, however, would have been achieved without the Federation's valuable contribution and its constructive working relationship with the Commission.

20. A prime concern at present was ensuring the introduction of the mandatory age of separation (MAS) by 1 January 2018, given that not all specialized agencies would be implementing that decision by the date set. The Commission continued to urge the governing bodies of those agencies to observe their commitments to the coherent common system. At the same time, the Commission had been presenting the changes in the compensation package to the staff of common system organizations, including the WHO/GSC in Kuala Lumpur. Indeed, the process of relocating services from headquarters to shared service centres continued apace.

21. The Commission had launched the second phase of its review of the common system compensation package. It was clear that both the organizations and the staff federations needed more time for internal consultations and review. Informal discussions had been held with various common system organizations specifically related to the various categories of staff, while the Commission had conducted a survey of practices in other international organizations focusing on the use of internationally and locally recruited staff. The findings would be taken up at the upcoming 84<sup>th</sup> session of the ICSC and Mr. Stoeckl trusted that the staff federations would provide complementary input on the use of various categories of staff over time and future needs. The meeting would also review Field Service standards and assess the need to maintain separate standards for the General Service and Professional categories.

22. The salary survey methodologies would be reviewed at a certain point in time, most probably in the wake of the review of the categories of staff, once more fundamental issues as the rationale, role and usage of various categories had been settled. Furthermore, the introduction of a revised methodology would have to await the completion of the present round of salary surveys. For its part, the General Assembly had requested ICSC to consider the possibility of further increases in the weight of local national civil services. The concerns of Member States would also have to be met as they, for their part, had to demonstrate to their taxpayers that the local salaries of common system organizations stood in reasonable relation to the salary levels applied in their own civil services.

23. The analysis of the current round of salary surveys would have to await completion of the process (in 2019), thus precluding any comprehensive or definitive conclusions at the present juncture. One issue still persisted: that of obtaining the participation of comparable employers. Perhaps new approaches could be devised and Mr. Stoeckl looked forward to working with all parties on the issue.

24. Most recently the Commission had been engaged in the management of the UN/US net remuneration margin. For the first time, the Commission had used the new procedure whereby it had been instructed to keep the margin between 113 and 117. The post adjustment multiplier for New York had thus been increased from 63.2 to 66.1. That represented an increase of some 1.78 per cent in net remuneration and an increase of 2.04 per cent in the pay index for New York over the post adjustment index that stood at 162.8.

25. In order to maintain purchasing power parity with New York, the post adjustment indices for all other duty stations had been scaled up commensurately. It had led to real salary increases in 31 out of 46 type-1 duty stations.

26. At the upcoming ICSC session, the Commission would initiate the comprehensive review of pensionable remuneration, focusing on the current methodology and its improvement. It would also focus on the methodology for hardship classification and concerns that had been raised. Security and safety were key elements in the current classification methodology, with isolation and difficult living conditions being accorded less prominence.

27. Other items to be taken up at the upcoming session would include: (i) the results of the cost-of-living baseline surveys recently conducted at headquarters duty stations as well as in Washington D.C.; (ii) a review of the security evacuation allowance in the field; and (iii) a discussion paper submitted by the Human Resources Network on contractual arrangements within the common system.

28. The recent changes in terms of the leadership of the United Nations had been far-reaching. Secretary-General Ban Ki-moon would be remembered for his commitment to the Sustainable Development Goals and combating climate change, while his successor would have to face the challenge of steering the United Nations through the stormy seas ahead. Furthermore, the most recent developments in the United States, the comparator since the very first days of the United Nations, were of particular significance.

29. On all those issues, the members of the Commission looked forward to working with the staff representatives in a spirit of partnership - in an atmosphere of mutual trust, professionalism and open communication. He wished FICSA a successful outcome to its meeting. He and his staff would be happy to answer any questions that member associations/unions might have about the Commission's work; they looked forward to a continued meaningful and supportive relationship.

30. The FICSA President thanked Mr. Stoeckl for his presentation and his willingness to respond to a limited number of questions. Three questions were asked relating to: (i) concern over delays in implementing the MAS; (ii) the specific points to be addressed in the GS compensation review; and (iii) the principles governing the upcoming review of the survey methodology and the incorporation of the vastly different conditions prevailing in national civil services.

31. In response to the first question, Mr. Stoeckl pointed to the degree of variance between organizations despite their having to comply with the decision. The ICSC could not impose force on the specialized agencies, nor did it have a policing role. All it could do was to talk to Member States, the agencies involved and their administrations and urge compliance. It was incumbent upon the General Assembly to try and persuade the agencies' governing bodies.

32. In response to the second question, Mr. Stoeckl pointed out that the new survey methodologies would not come into play before 2019. At present, the sole problem was one of finding 20 comparable employers, only a third of whom could be replaced by sets of external data.

33. In his response to the third question, Mr. Stoeckl foresaw an increase in weighting in type-1 duty stations along the lines of the Flemming principle. The duty stations most affected would



be Geneva and New York, given a 10 per cent difference between United Nations and national civil service salaries. In type-2 duty stations, the civil service comparators would be such entities as embassies (US and EU countries) or World Bank offices. Staff should not fear the outcome of the exercise.

34. At the end of the morning session on the first day, the FICSA President asked the participants to stand and observe a minute's silence in honour of those staff members who had passed away or lost their lives in the service of the United Nations over the past year. He also asked Council to honour the memory of Paolo Romano Barchiesi of FAO/WFP-UGSS who, after a long struggle, had succumbed to cancer. On behalf of the Federation, he expressed his sincere condolences to all the families.

### **Credentials (Agenda item 2)**

35. The General Secretary of FICSA, Gemma Vestal, read out a list of those delegations, whose credentials had been received. 26 full members were present: AP-in-FAO, FAO/WFP-UGSS, IAEA, ICAO, IFAD, ILO/ITC, IMO, ITU, PAHO/WHO, SCBD, UNAIDS, UNESCO, UNFCCC, UNGSC, UNRWA/ASA UNWTO, UPU, WHO/AFRO, WHO/EMRO, WHO/EURO, WHO/GSC, WHO/HQ, WHO/SEARO, WHO/WPRO, WIPO and WMO. As for the two full members absent, the IARC Staff Association had granted its proxy to the WHO/HQ Staff Association, while the IPU Staff Union, in accordance with Article 40 of the Statutes, was not entitled to vote on any issue at the current session on account of its arrears in the payment of their contributions over the past two years. Two associate members were present. Of the associate members absent, the CTBTO Staff Association had given its proxy to the IAEA Staff Association authorizing it to vote on all issues other than elections. Two consultative members, AMFIE and EMBL, were present, as were two members with observer status, FUNSA Guinea and AFSM-WHO/SEAR. CCISUA and the UN NY Staff Union were also represented as guests, as was one organization with special status that had applied for full membership.

### **Election of the Chair, Vice-Chairs and Rapporteur (Agenda item 3)**

36. Mr. Irwan Mohd Razali (WHO/GSC) was elected Chair of the Council. Mr. Christopher Mason (WIPO) and Mr. Dave Nolan (IFAD) were elected First and Second Vice-Chair, respectively. Council approved the appointment of Mr. Peter Lillie as Rapporteur.

37. Council also elected two polling officers, whose duty it was to organize the elections scheduled for the current session in keeping with the Statutes and Rules of the Federation. The polling officers so elected were: Ms. Kiran Kaur and Ms. Zaleha Bibi Shah Din (WHO/GSC).

38. Mr. Svend Booth (FAO/WFP-UGSS) was elected Chair of the Ad hoc Committee on Administrative and Budgetary Questions and Mr. Imed Zabaar Chair of the Ad hoc Committee on Strategic Development.

### **Adoption of the agenda (Agenda item 4)**

39. The provisional agenda as contained in document FICSA/C/69/1/Rev.1 was adopted without change (see Annex 1).

### **Organization of the Council's work (Agenda item 5)**

40. After a briefing on various logistical details encompassing interpretation services, social events and meal vouchers, Council agreed, with minor adjustments, to the schedule of work as contained in document FICSA/C/70/INFO/CRP.1. Delegates were reminded of the deadline for the submission of Standing Committee reports and for the nominations for the vacant regional representative positions.

41. AMFIE and UNFCU would be giving presentations in the course of the week. Both institutions were kindly funding the cocktail reception on the first evening.

42. In the interest of ensuring a smooth conduct of business throughout the week, the Chair stressed that no intervention should be longer than five minutes.

### **Constitutional matters (Agenda item 6)**

43. The General Secretary announced that nominations for all positions on the Executive Committee had been received and for two of the Regional Representative positions (Europe and Africa). No nominations had been received for the Americas and Asia.

44. Council thus agreed to apply Rule 38 of the Rules of Procedure so as to accommodate the filing of nominations for the two vacant positions by no later than 2 p.m. on Tuesday, 14 February 2017. In a special hearing on the day before the elections, all candidates would present their programmes and field questions.

#### *Review of the FICSA Statutes, Rules of Procedure of the Council and Financial Rules*

45. In the afternoon of the first day, Council took up its review of the FICSA Statutes, Rules of Procedure of the Council and Financial Rules. Mr. Imed Zabaar (IAEA), who had been closely associated with the preparation of the online questionnaire sent to all member associations/unions and collating the responses, gave a status report. He recalled that Articles 1-20 had been reviewed and agreed upon by the FICSA Council at its 68<sup>th</sup> session. Over the period April – October 2016, 20 member associations/unions (74 per cent of the full membership of the Federation) had completed the questionnaire that had addressed Articles 21-44 of the Statutes, Rules 1-48 of the Rules of Procedure and Articles 2-18 of the FICSA Financial Rules.

46. In respect of the FICSA statutes, the 20 respondents had agreed with 17 articles as proposed (74 per cent) and disagreed, in some instances to a very minor extent, with 6 articles (26 per cent). In the case of the Rules of Procedure, the respondents had agreed with 30 rules (75 per cent) and disagreed with 10 rules (25 per cent). In the case of the Financial Rules, the respondents had agreed with 4 articles (44 per cent) and disagreed to varying degrees with 5 articles (56 per cent).

47. It was agreed that the articles and rules to which the respondents had agreed would be accepted pending the determination of the acceptability of those articles and rules that had met with disagreement. After an extensive discussion of the articles and rules that were still open to question, the following outcome was reached during the first round of discussions.

## (a) Statutes

- Article 21: adopted as proposed
- Article 29: adopted with amendment
- Article 30: adopted as proposed
- Article 32: adopted with amendment
- Article 34: adopted with amendment
- Article 36(b): adopted with amendment
- Article 37: no consensus was reached on the text
- Article 41: adopted with amendment

## (b) Rules of Procedure

- Rule 2: adopted with amendment
- Rule 3: adopted as proposed
- Rule 4: adopted as proposed
- Rule 7: adopted as proposed
- Rule 12: adopted with amendment
- Rule 15: adopted as proposed
- Rule 16: adopted as proposed
- Rule 19: adopted with amendment
- Rule 37: adopted with amendment
- Rule 39bis: adopted with amendment

## (c) Financial Rules

- Article 2: adopted as proposed
- Article 10: adopted with amendment
- Article 13: adopted with amendment
- Article 14: adopted with amendment
- Article 18: adopted as proposed

48. FAO/WFP-UGSS also proposed an addition to Article 15 of the Statutes that read as follows:

*The General Secretary of FICSA shall examine the credentials of delegations and report to the Council at the opening sitting of the session. Delegations may include technical advisers or resource persons. However, they shall not have the right to lead or represent their member associations/ unions during Council proceedings.*

49. As in the case of Articles 31 and 37 of the Statutes on which agreement could not be reached, it was decided to submit the proposal mentioned in the foregoing paragraph to the Standing Committee on Legal Questions for an opinion.

50. On the final day of Council, the review of the contentious Rules in the Rules of Procedure entered into a second round. In a protracted debate, Council considered amendments to three rules that had been submitted to the Standing Committee on Legal Questions for an opinion, together with the additional article cited in paragraph 48 above.

51. The proposed amendment to **Article 31** read:

*The members of the Executive Committee shall be eligible for re-election, but no member of the Executive Committee may serve longer than six consecutive years.*

52. At an early stage in the discussion, it was cautioned that it was perhaps unrealistic to seek even longer terms of office, as staff members would hardly be released for longer periods, given the extensive restructuring throughout the common system.

53. Council was ultimately unable to reach consensus on Rule 31 and in keeping with the finding of the Standing Committee on Legal Questions, a request was made to put the matter to a vote in accordance with Article 20(e) and, if necessary, Article 21 (c). Those speaking in favour of the rule spoke of the need for logical alignment and consistency with the two-year terms served by the President and the General Secretary or the six-years terms in the Executive Committee. Those speaking against stressed the need for leadership to evolve and change; they argued against being locked into positions. It was posited that having an odd or even number of years was of itself no justification for an amendment.

54. **The proposed amendment to Article 31 was rejected as it failed to reach a double majority.**

55. As for **Article 37**, the original text read:

*Members of the Executive Committee may be recalled by a vote of No Confidence if there is prima facie evidence of financial mismanagement or misconduct and/or professional misconduct.*

56. The IAEA delegation first proposed that the text currently in force be amended to include the insertion of ‘and Regional Representatives’ and the substitution of the term ‘substantiated’ for the phrase ‘prima facie’, whereafter the ITU delegation suggested that the term ‘and Regional Representatives’ be dropped. Following an inordinately protracted discussion, Council was faced with a proposal and amendment to the proposal.

57. The proposal made by the IAEA delegation read:

*Members of the Executive Committee and Regional Representatives may be recalled by a vote of No Confidence if there is substantiated evidence of financial mismanagement or misconduct and/or professional misconduct.*

58. The ITU delegation’s amendment to that proposal read:

*Members of the Executive Committee may be recalled by a vote of No Confidence if there is substantiated evidence of financial mismanagement or misconduct and/or professional misconduct*

59. **Given the impasse that had arisen, it was decided that Article 37 would be put to a postal vote in two stages. In the first stage, the membership would have to vote on the amendment to the proposal. Should the amendment be rejected, the membership would have to vote on IAEA’s original proposal to amend the text of Article 37 currently in force.**

60. See Annex 11 for the procedures governing the postal vote in respect of Article 37.
61. Whatever the ultimate outcome might be the rest of Article 37 would remain unchanged.
62. **After another round of debate, the addition to Article 15 proposed by FAO/WFP-UGSS relating to the inclusion of technical advisers and resource persons in delegations (see paragraph 48 above) was withdrawn in light of the fact that the Standing Committee on Legal Questions had set up a working group to review the manner in which FICSA accredited delegations to the Council and the procedures related thereto.**
63. The amendment to **Article 30** had gone to the Standing Committee on Legal Questions. The proposed amendment read:

*The Council shall elect in the first place the President or General Secretary for a term of two years renewable.*

64. Council recognized the validity of the argument submitted by the Standing Committee on Legal Questions to the effect that the amendment was of no relevance as Article 31 provided for the time limits for the positions of President or General Secretary.

65. **Article 30 was not amended.**

66. In the course of the elections held the previous day, a controversy had arisen with respect to **Rule 39** of the Rules of Procedure.

67. Rule 39 read:

*Subject to the provisions of Articles 20, 21, 28, 29, and 30 of the FICSA Statutes, elections to the Executive Committee shall be conducted in the following manner:*

*(a) The Council shall first elect the President or General Secretary. The Council shall then elect the Treasurer, two Members for Compensation Issues, the Member for Regional and Field Issues and the Member without Portfolio, in that order.*

*(b) A candidate nominated for a particular post who has not been elected to that post will be eligible for another post.*

68. It had initially been proposed that sub-paragraph (b) be dropped. However, in the course of the debate, Rule 39 had been amended by Council to read as follows:

*Subject to the provisions of Articles 20, 21, 28, 28bis, 29, 30, 31 and 32 of the FICSA Statutes, elections to the Executive Committee shall be conducted in the following manner:*

*(a) No change to the text*

*(b) A candidate nominated for a particular position who has not been elected to that position will be eligible for another position subject to the deadline provisions contained in Rule 38 of the FICSA Rules of Procedure of the Council.*

69. **Thus, a proposal to again amend Article 39 might ultimately be put to a postal vote.**

70. Consensus was thus achieved in three tranches:

- (i) Statutes: Articles 21 - 44 with the exception of Article 37 that called for a postal vote
- (ii) Rules of Procedure: Rules 1–48
- (iii) Financial Rules: Articles 2–18

71. It was agreed that Articles 1–20 as adopted at the 68<sup>th</sup> session of the Council would be incorporated in the final version without prejudice to Article 43.

72. It was further agreed that once Council had approved the complete document, the final text would be vetted for linguistic and syntactical consistency, whereafter the newly amended Statutes would be circulated to the membership in accordance with Article 43.

**73. Council adopted the amendments on which agreement had been reached and decided that a comprehensive document would be prepared citing the Statutes and Rules *in toto*, together with ballot slips pertaining to Article 37 on which member associations/unions would have to cast their vote. The complete package would be circulated to the membership.**

#### **Questions relating to membership status in FICSA (changes in membership) (Agenda item 7)**

74. The General Secretary, Ms. Vestal, informed Council of developments relating to the status of membership. She was pleased to welcome to the fold the Staff Association of the WHO Global Service Centre, which, following a postal vote in December 2016, had obtained full membership status. She also welcomed two FUNSAs, both of which had joined with observer status in 2106: FUNSA Copenhagen and FUNSA Congo. Council welcomed the newcomers with a round of applause.

75. The General Secretary was also pleased to announce that the Staff Association of the Organization for Security and Cooperation in Europe (OSCE) had submitted a formal request for full membership following its second year of special status. Furthermore, the FICSA Executive Committee had received an application for associate membership from the recently formed Staff Association of the International Centre for the International Standard Serial Number (ISSN), whose statutes and application had been found to be in order.

76. The Executive Committee had recommended that Council accept both applications for full and associate membership, respectively. Council accepted the two new members by acclamation and welcomed them with a round of applause.

#### **Report of the Executive Committee for 2016-2017 (February 2016 – February 2017) (Agenda item 8)**

77. In introducing the Report of the Executive Committee for 2016-2017 (document FICSA/C/70/7), Mr. El-Tabari focused on specific segments of the report, the first of which was the Federation's participation in inter-agency meetings. The Federation's participation in the meetings of the High-Level Committee on Management (HLCM) that was restricted to the first day only had been neither transparent nor comparable to its participation in the ICSC. That notwithstanding, the 2030 Agenda for Sustainable Development as well as the ever-increasing

number of non-staff contracts that were to be taken up by HLCM were matters of genuine concern to staff and should be followed closely.

78. For its part, the Human Resources (HR) Network had taken up fairly routine matters. The issue of sharing the costs of the Federation's officials was still under consideration. In the ICSC, however, it had been a most interesting year in terms of such issues as the implementation of MAS, even though the pace had slowed down somewhat in comparison to the review of the compensation package for Professional staff that had drawn heavily upon the resources of the Federation. As Mr. Stoeckl had pointed out the ICSC was not a policing body, but it could mediate with agencies. That being said, the analysis of the use of various categories of staff was of critical importance to the second phase of the review of the common system compensation package, particularly where internationally and locally recruited staff was concerned.

79. In the General Assembly, the most recent session had been comparatively peaceful. A circular debate had ensued over the issue of severance pay in lieu of unemployment benefits, with one party in favour of five years and the other in favour of ten years. The Fifth Committee had expressed serious concern over the persistent delays in the receipt of payments by some new beneficiaries and retirees of the Pension Fund, while expressing equally serious concerns over the foreign exchange losses recorded in the Fund's financial statements and the high number of vacant posts in the Investment Management Division. Those concerns echoed those voiced in the Pension Fund over the failure of the Fund's Chief Executive Officer (CEO) to fulfil his primary responsibility and ensure that benefits are paid in a timely manner. Mr. El-Tabari drew attention to paragraph 34 in the Executive Committee report describing the mood in the Board of the United Joint Staff Pension Fund (UNJSPF).

80. FICSA had held a number of training workshops on a variety of issues, including harassment that had met with a good response. The workshops generated revenue for the Federation.

81. The positive features notwithstanding, the recently introduced whistle-blowing policy, which distinguished between the role of the Secretary-General as head of the United Nations as a whole and that of heads of the individual organizations, had given rise to a number of problems, not the least of which was the victimization of those who had blown the whistle.

82. The President described the meetings of the Inter-Agency Security Management Network (IASMN) as being most positive. Staff representatives found themselves being listened to.

83. In the ensuing discussion, appreciation was expressed for the comprehensive nature of the report. At the same time, however, it was felt that more could have been done in relation to hardship classification and the outreach to the Asia and the Pacific region could have been greater.

84. It was also pointed out that the absence of a section in the report on the situation in FAO did not mean that things had improved. There had been a persistent lack of follow-up to the past 18 meetings of the joint staff/management bodies and no meetings at all had been held since mid-December 2017. Over the past year, 140 appointments in the Professional category had been made without any vacancy announcements being issued. Given the extent of the problems in FAO, some Member States had become more receptive to staff criticisms.

85. In a second intervention, surprise was also expressed at omission of a paragraph on the situation in FAO, all the more so as the information had been submitted. Disputes had arisen over the Recognition Agreement and the global call for expressions of interest in GS positions in FAO. The former General Secretary of FAO/WFP-UGSS had had to stand down and leave FAO. The problem was not so much a matter of a breakdown in staff/management relations, but an issue relating to the exclusion of staff representatives from the consultation process provided for in the Recognition Agreement. A case in point was that staff representatives were being shut out of key committees, such as the Joint Advisory Committee on Medical Coverage and the Selection Committee.

86. In responding, the President admitted to a need to improve communications between FICSA and its member associations/unions. An additional paragraph would be inserted in the Executive Committee Report describing developments in FAO.

**87. Council took note of the Executive Committee report, with due consideration being given to the comments made during the discussion of the same.**

#### **CCISUA/FICSA cooperation (Agenda item 9)**

88. Speaking on behalf of CCISUA, Mr. Egor Ovcharenko, Vice-President of CCISUA, spoke of cooperation between the two Federations as having 'progressed'. On matters of mutual interest, cooperation had been very fruitful. An efficient union, he said, should not be limited to being active at one duty station. Due account had to be taken of the varying circumstances and different situations prevailing in the common system.

89. Cooperation on matters relating to the Pension Board and the UNJSPF Secretariat had been particularly close over the past year. CCISUA and FICSA had worked in concert to try and resolve the problems that had arisen on account of the delays in the payment of initial pension benefits to the most recent retirees. Other areas of concern were the disastrous staff-management relations in the Pension Fund secretariat, the managers of which were intent on stalling and delaying the issuance of the final OIOS management audit on the effectiveness of measures that the secretariat had taken.

90. The two Federations had also joined forces on addressing common issues that had arisen in connection with the ICSC. Their cooperation would increase all the more, once the upcoming review of the compensation package for the GS and related categories got underway. In the context of that review, every intention of paying less to developing country nationals was apparent.

91. Both Federations had boosted their lobbying activities. The new momentum had been put to good effect in the Fifth Committee and the General Assembly. The FICSA President and the Executive Committee members had been commended for their efforts that had provided Member States with new insights. At the same time, it was evident that the new whistle-blower protection policy was a crucially important matter, as was the protection of acquired rights - not only in terms of remuneration for Professional staff, but also on a much broader scale.

92. In conclusion, Mr. Ovcharenko thanked FICSA for having given him the opportunity to address Council. He was eagerly looking forward to cooperating further with the Federation.



## **Election of the Executive Committee and Regional Representatives for 2017-2018 (February 2017 – February 2018) (Agenda item 10)**

93. In a special plenary session called prior to the elections in order to hear out the candidates, those standing for election outlined what they saw to be the priorities for the coming year.

94. At the session devoted to elections, the Chair informed Council that he had received the following nominations (in alphabetical order) for election to the Executive Committee for the period 2017-2018 (see FICSA/C/70/6/Rev.1 and 6/Add.1).

95. The candidates were:

### **Executive Committee**

<b>General Secretary</b>	Gemma Vestal	WHO/HQ Geneva
<b>Treasurer</b>	Christian Gerlier Irwan Shahrezza bin Mohd Razali	ITU Geneva WHO/GSC Kuala Lumpur
<b>First and second of two Members for Compensation Issues</b>	Gaston Jordan Peter Kakucska Irwan Shahrezza Mohd Razali Pilar Vidal Estevez	ICAO Montreal UNFCCC Bonn WHO/HQ (K. Lumpur outpost) PAHO/WHO Washington DC
<b>Member for Regional and Field Issues</b>	Véronique Allain	SCBD Montreal
<b>Member without Portfolio</b>	Gaston Jordan Pilar Vidal Estevez	ICAO Montreal PAHO/WHO Montreal

### **Regional positions**

Regional Representative for Africa	Bernadette Fogue (WHO/AFRO Brazzaville)
Regional Representative for the Americas	Jesus Garcia Jimenez (ILO/ITC Turin)
Representative for Asia	Kelvin Khow Chuan Heng (WHO/WPRO Manila)
Regional Representative for Europe	Christopher Mason (WIPO Geneva)

96. The results of the elections were as follows:

#### **Executive Committee**

General Secretary	Gemma Vestal
Treasurer	Irwan Shahrezza Mohd Razali
First of two members for Compensation Issues	Pilar Vidal Estevez
Second of two members for Compensation Issues	Gaston Jordan
Regional and Field Issues	Véronique Allain
Member without Portfolio	Peter Kakucska

#### **Regional Representatives**

Africa	Bernadette Fogue
Americas	Jesus García Jiménez
Asia	Kelvin Khaw Chuan Heng
Europe	Christopher Mason

#### **Approval of the session report (Agenda item 11)**

97. Prior to taking up the individual Standing Committee reports, the Chair reminded Council of the form that the approval process would take. A member of each Standing Committee would present the individual reports and the recommendations they contained, which would serve as a basis for the decisions to be adopted by Council. As far as possible and allowing for the correction of omissions and possible substantive errors, the Standing Committee reports would for the most part remain unchanged. The budgetary resources recommended by the Standing Committees would be taken up under agenda item 13.

#### **Standing Committee on Legal Questions (Agenda item 11(a))**

98. The Chair of the Committee introduced the report of the Standing Committee on Legal Questions (see Annex 2). The Committee had held two meetings, in the course of which it had addressed 14 issues ranging from the system of justice in the United Nations, the FICSA Statutes, periodicity of steps and the implications that the acquisition of Swiss citizenship bore for staff members based in Geneva.

99. The Standing Committee had noted that the resources of the ILO Administrative Tribunal (ILOAT) were sorely tested and overstretched. If staff associations/unions or federations were to act as amicus/amici curiae, it would enhance their legal standing. It was deemed feasible, even though class actions were still not permitted.

100. The Standing Committee had been asked for its findings on three proposed amendments to the FICSA Statutes and a clarification in respect of Rule 15 of the Rules of Procedure. It had submitted its findings to Council on the three proposed amendments, while deciding to set up a working group of four persons to review the manner in which FICSA accredited delegations to the Council, the procedures therefore and the implications thereof.

101. As to the implications for staff in Geneva on acquiring Swiss nationality, the Committee highlighted the ILOAT jurisprudence which emphasizes the legal importance of the primary

attachment to the country of the first nationality. In the opinion of the Standing Committee, entitlement to home leave in the country of first nationality should be maintained, even for those Geneva-based staff members who had acquired Swiss nationality.

102. The Standing Committee had also recommended that a resolution be drawn up expressing support for the WIPO Staff Association. Originally aimed at the other organizations and agencies in Geneva, channels would be explored whereby it could be distributed to all member associations/unions for action (see also paragraph 132).

103. A discussion ensued on the proposed amendments to the Statutes mirroring the arguments that had emerged in plenary earlier and reiterating the course of events that had occurred. Council took note of the findings that the Standing Committee had submitted to the plenary, which were not to be seen as proposals or recommendations, but merely as submissions of a legal opinion.

### *Summary*

104. Council took note of the Report of the Standing Committee on Legal Questions with the amendments thereto and adopted the recommendations contained therein, in the light of which:

### **Council decided that:**

- **If found relevant, the three appeals training workshops proposed in document FICSA/C/70/LEGAL/CRP.2, be included in the FICSA training catalogue;**
- **A resolution expressing solidarity and support for the WIPO Staff Association be adopted, the final form of which together with the channels of distribution would be determined at a later juncture.**

### **Standing Committee on Human Resources Management (Agenda item 11(b))**

105. The Chair of the Committee introduced the Report of the Standing Committee on Human Resources Management, which had held two meetings in the course of a very crowded week (see Annex 3). For the first time, the Standing Committee had introduced panel discussions: one had taken up performance management systems and the other whistle-blowing in international organizations. The Chair cautioned that given the interesting and lengthy discussions that the panel format generated, it might in the interests of time be more politic to have only one panel discussion in the future formed by not more than three members and to receive a more structured request from FICSA.

106. The discussion of performance management not only highlighted the variance in practices across the common system, but also stressed the need for compliance with the systems in place: a particularly important aspect. The Standing Committee thus urged the collection of data on the policies and procedures pursued in the agencies of all member associations/unions.

107. As for MAS, concern was expressed over the delays affecting the actual implementation date and no fewer than six leading questions had been raised related to the manner in which agencies were approaching MAS. Whereas some follow an opt-out approach to extensions, others opt-in. Such differences made it all the more necessary that common system standards be developed.

108. An active exchange of ideas had also ensued on the issue of harmonizing parental leave that should ultimately be an all-encompassing benefit extending for a minimum of twelve months. For want of time, it had not been possible to explore all aspects and the Committee would continue the debate at the Council session in 2018.

109. The Standing Committee had also discussed the need for changes to the current whistle-blower protection policy. Instances of abuse were cited and the retaliation that whistle-blowers had suffered as a result of revealing them and naming names. Once again the need for proper compliance with procedures was stressed. It was recommended that a working group be set up, one of the objectives being to align whistle-blowing policies across the system.

110. Three possible training courses had been identified, yet it had not been possible to address all agenda items for want of time.

111. In the ensuing discussion, the sole question related to the availability of resources for the activities envisaged. It was pointed out that the Standing Committee would consider at a later juncture performance appraisal based on teams (as distinct from individual appraisals), as well as the evaluation of organizations' performance management systems that the HR Network would be discussing.

112. The SC also decided to postpone the discussion on non-staff to the 2018 Council, given the limited amount of time during this Council.

### *Summary*

113. Council took note of the Report of the Standing Committee on Human Resources Management with the amendments thereto and adopted the recommendations contained therein, in the light of which:

### **Council decided that:**

- The Executive Committee should approach the IAEA Staff Association with a view to sharing the criteria applied in the IAEA reverse appraisal (180° evaluation) system and post the details on the FICSA website;
- The Executive Committee should request from the agencies of all member associations/unions policies and procedures pertaining to performance management systems (PMS) and post those policies on the FICSA website;
- The FICSA Executive Committee should also undertake a review of the differences relating to conditions for dismissal through the PMS in terms of time and process, while outlining the best and worst practices;
- The Executive Committee should budget CHF 2,000 for the purpose of hiring legal counsel to determine whether a UN staff member, who (a) was employed by an agency that did not implement MAS65 by 1 January 2018; and (b) had launched a legal appeal against the agency, had a sound legal case;
- The Executive Committee should continue its advocacy activities directed towards agencies urging them to: (a) implement MAS65 no later than 1 January 2018; and (b) follow the United Nations' example of implementation procedures and standards, including the automatic extension of an employee's contract until the age of 65, unless otherwise requested by the employee;

- The Executive Committee should continue advocating a shift in policy towards encompassing parental leave and the extension of that leave to a minimum duration of one year;
- The Executive Committee should also press for an accepted definition of parental leave so that staff benefits could be expanded to include maternity, paternity, surrogacy and adoption leave;
- All staff representative bodies should advocate, in their respective agencies, for the implementation at an earlier date of the new rule on the mandatory age of separation;
- The Executive Committee should advocate for a shift in policy towards encompassing parental leave and the extension of that leave to a minimum duration of one year;
- The Executive Committee should set up a working group under the chairmanship of Mr. Christopher Mason (WIPO) to: (a) conduct research into current whistle-blower policies among the organizations of the member associations/unions; (b) determine those instances where the policies were aligned; (c) outline the best practices; and (d) standardize the definition of retaliation and whistle-blowing;
- The Executive Committee, together with the other staff federations, CCISUA and UNISERV, should advocate for the incorporation of provisions for external arbitration and independence in the new UN whistle-blower policy;
- The Federation should urge the Secretary-General of the United Nations to protect or reinstate the following UN staff members, should the individuals wish to work again for the United Nations: Ms. Miranda Brown; Mr. Moncef Kateb; Mr. Wei Lei; Mr. Anders Kompass; Mr. James Wasserstrom; and Ms. Emma Reilly; and
- The Executive Committee should allocate the sum of CHF 5,000, plus two subsistence allowances and two flights, to training courses relating to performance management and whistle-blowing.

#### **Standing Committee on Social Security/Occupational Health and Safety (Agenda item 11(c))**

114. The Co-Chair of the Committee introduced the Report of the Standing Committee on Social Security/Occupational Health and Safety (see Annex 4). In the course of its two meetings, the Standing Committee had considered issues related to pensions, staff well-being and training requests. She thanked everybody for having contributed so constructively to the Committee's deliberations.

115. Within the context of pensions, the Committee had had a very helpful discussion, most particularly the delays in payment of initial pension benefits to the most recent retirees. Some associations/unions had been able to report on improvements, others not. The FICSA President reported some success with regard to provisional payments to retirees who had not received their initial pensions within three months. Whereas the Standing Committee noted the positive developments in respect of the recognition of personal status, it had noted the difficulties of lodging appeals against the UNJSPF – the appeal of Maher V. UNJSPF Board being a case in point.

116. The Standing Committee had also revisited the issues related to after-service health insurance (ASHI) and the emphasis being placed on national health services. The position of FICSA, like that of FAFICS, was that UN health insurance packages should remain the minimum standard. The funding of the liabilities had also been an issue of concern, despite the General Assembly having initially recommended the pay-as-you-go approach to funding existing liabilities with regard to the UN Secretariat. Funding escalating ASHI liabilities would remain very much on the agenda. The Committee had discussed the situation where in WHO/GSC Kuala

Lumpur, the practice of issuing temporary and short-term contracts had resulted in staff finding it difficult to meet minimum eligibility requirements for ASHI.

117. The Standing Committee had also returned to the policies of dignity at work and return to work. An update had been given of the activities of the Mental Health Strategy Working Group that, it was hoped, would prove to be of use to those member associations/unions wishing to develop policies relating to mental health in their own organizations. A discussion also ensued on the contribution of UN Cares and the UN-for-All project to promoting a greater understanding of the need for 'well-being', the essentiality of a mentally healthy workplace, and creating an awareness of the need for duty of care in high-risk environments, among many other factors. In conclusion, the Co-Chair read out the two comprehensive recommendations that the Standing Committee had adopted.

### *Summary*

118. Council took note of the Report of the Standing Committee on Social Security/Occupational Health and Safety with the amendments thereto and adopted the recommendations contained therein, in the light of which:

### **Council decided that:**

- **The FICSA Executive Committee should: (a) ensure that the UNJSPF Newsletter was made available to membership on the FICSA website; (b) encourage the membership to ensure that, to the extent possible, participants' representatives on the Board of the UNJSPF were members of staff representative bodies; (c) insist, in its statement to the 5th Committee, that the report of the 5th Committee contain the joint statement of the staff federations to the UNJSPF Board at the latter's session in July 2016; (d) request in their meeting with the Executive Office of the Secretary-General that the final version of the OIOS audit on the management of delays in processing pension benefits in the UNJSPF be published and made publicly available; and (e) request that the UNSPF key performance indicators be made available to staff and updated on a regular basis; and**
- **The FICSA Executive Committee: (a) advocate a system-wide approach to, and investments in, employee well-being to the benefit of all organizations and duty stations that would build on the success of UN Cares and be carried out in line with the principles outlined in the work undertaken, inter alia, on duty of care in high-risk environments, UN system mental health strategy and occupational safety and health framework, while ensuring continued attention be paid to HIV so as to attain the UN Cares 10 minimum standards for staff living with HIV that had not yet been achieved in all duty stations; (b) ensure that FICSA members had the requisite capacity to advocate and support a mentally healthy workplace, in particular the capability to address the fear, stigma and misunderstanding of mental health issues by offering the membership a training course on mental health in the workplace; and (c) advocate that the UN-for-All project continue to be rolled out across the UN system, irrespective of whether the UN Cares programme continues in its current form.**

### **Standing Committee on Conditions of Service in the Field (Agenda item 11(d))**

119. The Chair of the Committee introduced the Report of the Standing Committee on Conditions of Service in the Field that had met twice in the course of the week (see Annex 5). He summarized the debate that had led to eight composite recommendations that, like many recommendations put forward by the other standing committees, comprised several sub-sets of proposals. The Standing Committee's recommendations related to the review of the compensation package, duty of care, the inter-agency security management network, hardship duty stations, the classification of duty stations and currency devaluation in Cairo.

120. Following the completion of the compensation review for the Professional and higher categories, certain changes had been introduced as of 1 July 2016 that bore major implications for staff in the field; they might well impinge on acquired rights and thus open up the way to lodging appeals. The Chair drew attention to the importance of the work of the HLCM Working Group on the (non-waivable) duty of care for United Nations personnel in high-risk environments. He recommended that FICSA members familiarize themselves with the HLCM Working Group's report (document CEB/2016/HLCM/11). He also drew attention to the JIU report on safety and security in the United Nations System (document JIU/REP/2016/9). With respect to inter-agency security management, staff representatives should focus on how they could best advocate for the allocation of resources to fund the management of security risks.

121. The Standing Committee had also noted the safety and security risks in New Delhi (India) and Dhaka (Bangladesh) that ranged from extreme air pollution in the one city and violence in the other. They called for stricter security measures that, in turn, led to a higher level of isolation. The classification of duty stations failed to capture such isolation and environmental factors, which the Standing Committee had considered in depth, together with other factors. The Chair also pointed to the problems arising out of local currency devaluation and its impact on purchasing power. The Standing Committee had drawn up a list of ten major steps that staff representatives could take to protect salaries and purchasing power in the event of rapid currency devaluation.

#### *Summary*

122. Council took note of the Report of the Standing Committee on Conditions of Service in the Field with the amendments thereto and adopted the recommendations contained therein, in the light of which:

#### **Council decided that:**

- **The Executive Committee should work, in collaboration with the Standing Committee on Professional Salaries and Allowances, on drawing up a table showing the adverse changes for field staff following the review of the compensation package for Professional staff;**
- **The Executive Committee should inform the ICSC of the negative impact of the elimination of accelerated home leave in duty stations classified at the C level, when a deterioration of the security situation necessitated restriction of movement, thus increasing isolation and hardship for field staff;**
- **The Executive Committee should continue its involvement in the follow-up to the Working Group on the Duty of Care for UN personnel operating in high-risk environments, with particular attention being paid to: (i) adequate and equitable access**

to healthcare and psychosocial support for both locally and internationally recruited UN personnel; and (ii) the development and enforcement of UN system-wide health and safety standards;

- The Executive Committee should ensure that the upcoming ICSC review of conditions of service for locally recruited staff also include a focus on staff serving in high-risk field environments and take into account the findings and recommendations of the HLCM Working Group on Duty of Care, in particular as they applied to danger pay;
- The Executive Committee should assist colleagues in New Delhi and Dhaka by providing technical support in preparing the revised questionnaire on living and working conditions, to be submitted for the ICSC mid-year review in June 2017, so as to help ensure that the results of the upcoming classification reflected the actual conditions faced by staff working in those duty stations;
- In connection with the ratings used in the revised methodology for classifying duty stations, the Executive Committee should advocate that increased weight be accorded to the following factors: (a) isolation factors resulting from restrictions on movement introduced to mitigate security risks; (b) environmental factors, including air, water and noise pollution as well as food contamination; (c) discrimination, harassment and violence faced by members of the LGBTI community; and (d) gender-based violence;
- In the same context, the Executive Committee should urge that: (a) health data duly reflect possible gaps in the availability and access to health-care services that both women and men experienced; (b) In cases where the quality of data in duty stations under review was either inadequate or absent, use be made of data from independent external sources, such as the comparator civil service, the World Bank or health insurance providers; and (c) the process of classification be independent of all considerations of a political nature;
- The Executive Committee should establish an ad hoc technical committee to support the FICSA Executive Committee Member for Field and Regional Issues so as to assist her in preparing the Federation's input to the review of the duty station classification methodology;
- During the review of the compensation package for locally recruited staff, the Federation should advocate for the introduction of an improved mechanism to address the negative impact of high inflation and currency devaluation; and
- The FICSA Executive Committee should share details of the ten major steps that staff representatives could take to protect salaries and purchasing power in the event of rapid currency devaluation (document FICSA/C/70/FIELD/R.1, Annex 1) and encourage those associations/unions that had experienced a similar deterioration in economic conditions to share their experience.

#### **Standing Committee on General Service Questions (Agenda item 11(e))**

123. The Chair of the Standing Committee, who was also the Coordinator of the Permanent Technical Committee on General Service Questions, introduced the Report of the Standing Committee on General Service Questions (see Annex 6). She drew attention to the recommendations that had been adopted by the Standing Committee in the course of its two meetings, as well as those recommendations that had been included in the Report of the Standing Committee's Permanent Technical Committee (PTC) that had met prior to the Council session.

124. The Standing Committee had benefited from the question-and-answer session with the representatives of the ICSC on the upcoming review of the compensation package for GS staff.



It had adopted the recommendations emanating from its Permanent Technical Committee that related to the need to continue investing in training trainers and the allocation of funds to permit the organization of specialized workshops which invariably generated revenue for the Federation. Despite the dismissal of the appeal on the service differential in FAO, attempts would be made to find a mutually acceptable solution.

125. In connection with the upcoming review of the compensation package for staff in the GS category, the Standing Committee recommended that a task force be established similar to the one that had been set up in connection with the review of the compensation package for the staff in the Professional and higher categories. People had volunteered their services and budgetary provision should be made.

126. The Standing Committee had also recommended action pertaining to the economic situation in Guinea that had deteriorated in the wake of the Ebola crisis.

### *Summary*

127. Council took note of the Report of the Standing Committee on General Service Questions with the amendments thereto and adopted the recommendations contained therein, in the light of which:

### **Council decided that:**

- **The Executive Committee should continue to invest in training a pool of trainers, while taking into account gender balance and geographical distribution;**
- **Bearing in mind that salary survey methodology workshops might generate income, the Ad hoc Committee on Administrative and Budgetary Questions should be requested to allocate the amount of CHF 20,000 for the organization of specialized workshops on the salary survey methodology I and II, taking into account the need for capacity building;**
- **In view of the negative outcome of the appeal on the service differential in FAO, the Executive Committee should follow up with the FAO Administration, in liaison with FAO/WFP-UGSS, in order to find a mutually agreeable solution whereby the unsuccessful appellants be awarded financial compensation, such as had been granted to other staff members who had not lodged an appeal;**
- **The Executive Committee should establish a special task force to participate in the comprehensive review of the compensation package for the General Service category, with clear terms of reference for its work and a budget of up to CHF 7,000 to cover the cost of attending relevant meetings;**
- **The task force on the comprehensive review of the compensation package for the GS category should address the following key topics: (a) issues highlighted in the responses that the representatives of the ICSC had given during the question-and-answer session held by the Standing Committee on 14 February 2017; and (b) issues to be prioritized in accordance with the full schedule of meetings, once the latter was available;**
- **The Executive Committee should keep the membership informed on any developments related to the comprehensive review of the compensation package for the GS category; and**
- **The Executive Committee should assist FUNSA Guinea in its advocacy efforts to secure the introduction of special measures to address the deteriorating economic situation in the wake of the Ebola crisis and offset its negative impact on staff.**

### **Standing Committee on Professional Salaries and Allowances (Agenda item 11(f))**

128. The Chair of the Standing Committee introduced the Report of the Standing Committee on Professional Salaries and Allowances (see Annex 7) that had met once, but had been preceded by a meeting of the Standing Committee's Permanent Technical Committee (PTC) prior to the Council session. The main focus of its deliberations had been on the implementation of the compensation package for Professional and higher categories and the steps that lay ahead. In addition to the concern expressed over inequities that might arise out of differing interpretations of the rules on the part of the various organizations, the Committee urged member associations/unions to inform FICSA of any violations of acquired rights within the context of the compensation package and its implementation. The Committee had noted that CHF 50,000 had been set aside in the draft budget for Standing Committee activities that, it was hoped, could be drawn upon to fund appeals that would be lodged as test cases relating to losses incurred as a result of changes within the context of the new compensation package.

129. The Committee debated the lack of transparency in the process governing the cost-of-living surveys: more specifically the failure to share the survey coordinator's report with the local staff associations/unions and the members of the local survey committees. Training related to various aspects of the new compensation package had also been discussed, as had the resources required to fund such activities. ICSC would be asked to publicise the courses, one of which was planned for Tanzania and another in an as yet unnamed country in Eastern Europe.

#### *Summary*

130. Council took note of the Report of the Standing Committee on Professional Salaries and Allowances with the amendments thereto and adopted the recommendations contained therein, in the light of which:

#### **Council decided that:**

- **Member associations/unions should inform the staff members in their organizations of the need to draw attention in a timely manner to situations where they had suffered losses in respect of the changes implemented as a result of the comprehensive review so that they could be considered as possible test cases for appeals. FICSA would focus on three test cases at an expected cost of CHF 30,000, of which CHF 15,000 would be required of FICSA and CHF 15,000 of CCISUA;**
- **The Executive Committee should study the implementation of the compensation package and, on the basis of its findings, make recommendations to the ICSC pertaining to adjustments and the uniformity of implementation;**
- **The FICSA delegation to the upcoming ACPAQ should voice concern over the lack of transparency in the cost-of-living survey process owing to the survey coordinator's report not being shared with the local survey committees or staff representatives; and**
- **The Executive Committee should alert the membership to the planned workshops in the field, as well as explore with the ICSC the possibility of holding an HQ methodology training session on the post adjustment system in either New York or Europe.**

### **Standing Committee on Staff/Management Relations (Agenda item 11(g))**

131. The Vice-Chair of the Committee introduced the Report of the Standing Committee on Staff/Management Relations that had met three times (see Annex 8). At the outset, he

remarked that the core group had not been very active throughout the past year, a point that the other Vice-Chair had made when reporting on the Standing Committee's activities in 2016. The Standing Committee had discussed at some length the approach to cost-sharing as a means of securing the release of FICSA officers. At its latest meeting, the HLCM Working Group on the matter had addressed the issue of finding alternative funding. The Federation had prepared a business case that would be considered by the Executive Committee before being presented to the next meeting of the HLCM Working Group at the end of March. The Standing Committee had adopted a comprehensive recommendation on the issue.

132. Release time was also a prominent feature in the Recognition Agreement between the WHO/HQ Staff Association and the Administration of WHO that was based on the FICSA Recognition Agreement. Exhaustive details of the agreement had been described during the meeting and the data would be shared with the FICSA secretariat. Details were also given of the state of staff-management relations in five organizations. Given the state of affairs in WIPO that was described at length in a presentation by the WIPO representative, the CERN Staff Association was preparing a resolution on behalf of the WIPO staff that would ultimately go to the United Nations Secretariat and the Member States (see also Report of the Standing Committee on Legal Questions, paragraph 26). In the ensuing discussion, it was explained that the resolution was restricted to the Geneva-based organizations whose staff associations and unions would see it before it was sent on to its final destination.

133. Details were also given of a rating system for international organizations, which would serve as a tool to identify areas for improvement in organizations. It could also be used as a positive incentive for organizations in terms of maintaining best practices in staff-management relations and staff conditions. In the discussion of the rating system, it was suggested that the request for funds in the amount of CHF 15,000 could be significantly reduced by using 'survey monkey' that not only guaranteed anonymity, but would also cost far less: in the order of CHF 5,000. It was further suggested that an outsider be hired to conduct the survey so as to ensure that the findings were free of bias. One delegation suggested that the indices emerging from the survey could be known as the 'Montavon Index' given the extensive contribution that Matthew Montavon (AP-in-FAO) had made to developing the rating system.

134. Council took note of the Report of the Standing Committee on Staff/Management Relations with the amendments thereto and adopted the recommendations contained therein, in the light of which:

**Council decided that:**

- **The Federation should: (a) strongly urge all member associations/unions to, as far as informal and formal opportunities allowed, contact and lobby with their respective governing bodies and HLCM representative or their administration, seeking as soon as possible their support for a cost-sharing initiative; (b) in those discussions use in support of its argument recommendation 8 in the JIU Report, document JIU/REP/2012/10, which read: 'The Legislative or Governing Bodies of the organizations under review should mandate their Executive Heads to prioritize the development of a burden-sharing formula and agreement with regard to financing all costs associated with the representational function of officials of staff federations that are recognized in the ICSC statutes and rules of procedures'; and (c) recall that the WHO/HQ Administration had expressed support in favour of implementing a cost-sharing formula;**

- The CERN Staff Association should: (a) submit its resolution that related in part to the situation at WIPO; and (b) the FICSA Executive Committee should present the resolution prepared by the latter Staff Association to the United Nations Secretariat and the Member States;
- All FICSA member associations/unions should: (a) familiarize themselves with the JIU Report on Staff-Management relations in the United Nations specialized agencies and common system (JIU/REP/2010/10), available at [https://www.unjiu.org/en/reports-notes/CEB%20and%20organization%20documents/Complementary%20Paper\\_JIU\\_REP\\_2012\\_10.pdf](https://www.unjiu.org/en/reports-notes/CEB%20and%20organization%20documents/Complementary%20Paper_JIU_REP_2012_10.pdf); and (b) notify FICSA at the earliest possible juncture of any indication of potential deterioration in staff-management relations, including administrative actions labelled 'transition,' 'review,' 'reform' or 'restructuring,' as well as other related terms that might potentially bear negative implications for staff; and
- FICSA should recognize the work of the Standing Committee's Working Group on establishing a rating system for international organizations based on a survey of the FICSA membership to be completed by elected staff representatives; the Executive Committee should greatly encourage the membership to participate in the survey process; and (c) funding for the survey activities should be provided.

#### **Ad hoc Committee on strategic development of FICSA (Agenda item 12)**

135. The Chair of the Ad hoc Committee on Strategic Development introduced the report; its very first report under the new banner (see Annex 9). The Ad hoc Committee had discussed four major items in the course of two meetings: FICSA representation in New York; the Federation's communications strategy; the FICSA website; and the assessment and review of the cooperation between FICSA and CCISUA.

136. The Ad hoc Committee had also recognized the need for an effective lobbying mechanism that could provide both an immediate and long-term response. The essentiality of FICSA representation in New York had been heightened by the recent appointment of a new Secretary-General and the potential challenges to the United Nations being posed by certain Member States. The discussion in the Ad hoc Committee had revealed a variance of opinion on how soon such representation should be set up. The Ad hoc Committee's first two recommendations had been made in that context, both of which could be implemented, as they were not mutually exclusive (see decisions below).

137. Given the new political dynamics and the criticism aimed at the United Nations and its staff, steps had to be taken to present staff members as highly competent and committed professionals who offered good value for money. Care should be taken to avoid providing ammunition to those intent on harming the Organization. All that called for a strong unifying message and an effective communications strategy to transport that message. Opinion was also split on whether the focus should be on issuing a magazine in a print version or on the web and via other communications tools. It was suggested that under the circumstances it would be best to hire an external communications specialist.

138. Opinion was not split on the need to revamp the Federation's website. It was seen as being long overdue.

139. As for FICSA/CCISUA cooperation, the Ad hoc Committee recommended a cautious approach as the Federation had on occasion found itself in an embarrassing position on account of the impulsive and undiplomatic behaviour of CCISUA.

140. Council took note of the Report of the Working Group on Strategic Development with the amendments thereto and adopted the recommendations contained therein in the light of which:

**Council decided that:**

- In view of the urgency and the immediate challenges that the United Nations and its staff were expected to face, FICSA should have a post or a position based in New York with a public affairs and liaison portfolio and funded from the surplus in FICSA resources on a trial basis for one year;
- FICSA should establish a working group to explore a longer-term approach to the Federation's presence and activities in New York based on a review that should cover a broad range of options;
- Funds in the amount of CHF 20,000 should be drawn from the reserve for the purpose of recruiting a consultant (communications specialist) to prepare a communications strategy;
- Given that the FICSA website required updating, funds should be provided to permit the redesign of the website. Funds that had been allocated in previous years had not been spent and were currently being held in the reserves. Funding in the amount of CHF 20,000 should be drawn down from the surplus to fund the redesign of the website;
- Furthermore, the Executive Committee should explore the possibility of issuing a tender for consultant(s) to advise on the communications strategy and the redesign of the website on a joint basis for cost-saving reasons, while maintaining the option of issuing individual consultancy contracts, if deemed more beneficial;
- While pursuing advantageous joint activities with the other staff federations, the Executive Committee should be cautious and duly diligent in its interactions with the same; and
- The Federation should reserve the right to: (a) refrain from taking part in initiatives taken by the other federations, should they be seen as impulsive or counterproductive; and (b) distance itself from actions that it perceived as not being in the best interest of FICSA and its members.

**Administrative and Budgetary Questions (Agenda item 13)**

**Report of the Ad hoc Committee (Agenda item 13(a))**

141. The Chair introduced the Report of the Ad hoc Committee (see Annex 10) which had held five meetings in the course of the week. Two items in particular took up a large part of the time: a proposal relating to a new methodology for assessing the membership dues and a special request for reduced fees. The intensity of the debate on the latter item made it necessary to call for a vote.

142. In connection with the methodology for assessing the dues, the Ad hoc Committee had ultimately recommended that a working group be set up to build on the work carried out by the consultant, Ms. Nayiri Dolanjan, whose findings had been reviewed by an earlier working group. The latter had initially not made a clear recommendation, but at a later stage it opted for Option 2 as identified by the consultant together with an element of Option 4. For his part, the Chair had considered exploring a new approach based on the financial payrolls of the organizations

for which the member associations/unions worked. The terms of reference for the new working group had been set out and its initial composition suggested.

143. The anomalies in the figures in Annex 1 in the report of the independent reviewer and the FICSA financial statements for 2015 were attributable to the fact that the accountant worked on one kind of budget that encompassed all expenditures in a year that could, however, include expenditures relating to past and future years, whereas the independent reviewer worked on the basis of closure of each individual year.

144. In his management letter, the independent reviewer had also commented on the arrears that FUNSAs continued to accrue, a concern that the Ad hoc Committee shared. A recommendation in that respect had been made.

145. The Ad hoc Committee had also considered the potential use of funds unspent in 2016. It supported the suggestion that savings be drawn down so as to maintain a level of dues comparable to the past two years.

146. An extensive debate also ensued on the financial plight of UNESCO/STU and its request that its debt of CHF 25,000 for 2016 be cancelled and its membership dues for 2017 be fixed at CHF 25,000. After various variants had been examined, the Ad hoc Committee adopted a recommendation proposing that Council vote on the issue (for the outcome of that vote see paragraph 149 below).

147. At the very end of the session, a suggestion was made that FICSA introduce electronic voting, such as NOODLE LIVE on Google Forms, at future Councils so as to avoid the cumbersome, time-consuming procedures currently in place.

### *Summary*

148. Council took note of the Report of the Ad hoc Committee on Administrative and Budgetary Questions and adopted the recommendations contained therein, in the light of which:

### **Council decided that:**

- **A working group should be established to follow up on the findings of the previous working group that had done the groundwork on the dues methodologies. It would take up the suggestions that had emerged during the discussions at the present Council with a view to identifying the most viable dues structure;**
- **The Independent Reviewer's comments relating to the differentiation of the roles of the President and the General Secretary should be brought to the attention of the FICSA Executive Committee, with due account being taken of the bank reconciliation requirements noted by the Independent Reviewer in 2011(1) and 2011(5);**
- **The Executive Committee should: (a) inform the FUNSAs which had not availed themselves of the conditions set out in the decision adopted at the 69<sup>th</sup> session of the Council that they would be excluded from membership with immediate effect; (b) inform those FUNSAs that they would have to pay all outstanding dues before being eligible to re-join the Federation; and (c) follow up with the IPU Staff Union and CSSA on their arrears, make both members aware of their imminent suspension and report back to the 71<sup>st</sup> session of the Council;**

- The unspent balance in 2016 should be carried over into 2017 so as to contain membership dues;
- Council should establish whether membership was willing to cancel the debt of UNESCO/STU amounting to CHF 25,000. If the debt were cancelled, the membership dues for 2017 would be fixed at CHF 25,000. Should the Federation not accept the debt being written off, UNESCO/STU would settle its outstanding debt and apply for special status for 2017;
- To that end, a vote should be taken at the present Council on cancelling the debt of UNESCO/STU amounting to CHF 25,000;
- The Executive Committee should ensure that the figures used to calculate weighted staff were duly reflected in the weights used in voting; and
- Given the time spent on voting at the current session, the Executive Committee should introduce an electronic voting system for the Council session in 2018.

#### **Draft programme and budget 2017-2018 (Agenda item 13(b))**

149. In keeping with the recommendation of the Ad hoc Committee on Administrative and Budgetary Questions, Council voted on cancelling the debt of UNESCO/STU amounting to CHF 25,000. Council voted in favour and the proposal was carried. UNESCO/STU said that it would stay in FICSA with great pleasure and pay its dues for the current year forthwith.

150. Council took note of the proposed programme and budget and the modifications thereto that had arisen during the extensive discussion of the proposals.

151. The proposed totals under the individual chapters were:

Chapter 1: CHF 94,026  
 Chapter 2: CHF 58,189  
 Chapter 3: CHF 49,456  
 Chapter 4: CHF 539,859

The sum total of the four chapters of the budget was **741,530**.

152. **Council formally adopted the programme and budget for the biennium 2017-2018 (see Annex 12).**

153. Council took note of the fact that the scale of contributions for 2017 would be revised in the light of the vote by Council in favour of: (a) writing off the debt that UNESCO/STU had accrued amounting to CHF 25,000; and (b) fixing the latter's membership dues for 2017 at CHF 25,000. **With that proviso, Council formally adopted the scale of contributions (see Annex 13).**

## **Election of the Standing Committee officers for 2017-2018 (February 2017 – February 2018) (Agenda item 14)**

154. Council elected the following Chairs and Vice-Chairs of the Standing Committees for 2016-2017:

### *Legal Questions*

Chair: Andres Orias Bleichner (WMO)

Vice-Chair: Joel Lahaye (CERN)

Core group: All participants in the meeting of the Standing Committee

### *Human Resources Management*

Chair: Alessandra Pani (IFAD)

Vice-Chairs: Lisa Villard (IAEA)  
Evelyn Kortum (WHO/HQ Geneva)

Core group: No members were nominated

### *Social Security/Occupational Health and Safety*

Chair: Tanya Quinn-Maguire (UNAIDS)

Vice-Chair: Katja Haslinger (IAEA)

Core group: Kay Miller (WHO/EURO Copenhagen), Elizabeth Gnehm (ICAO), Pilar Vidal (PAHO/WHO Washington), Jason Sigurdson (UNAIDS Washington), Christine Gimenez (ITU), Stella Tabengwa (WHO/HQ Geneva), Lucie Gnongo Beavogui (FUNSA Guinea) and Christian Pethas Magilad (WHO/AFRO Brazzaville)

### *Conditions of Service in the Field*

Chair: Zaid Al-Nahi (WHO/EMRO Cairo)

Vice-Chair: Jasper Pasipamire (WHO/AFRO Brazzaville)

Core group: Jesus García Jiménez (ILO/ITC), Ekkadu Rangarajan (WHO/SEARO New Delhi), Stella Tabengwa (WHO/HQ Geneva), Lucie Gnongo Beavogui (FUNSA Guinea) and Jason Sigurdson (UNAIDS Washington)

### *General Service Questions*

#### *Chair/PTC*

Coordinator: Silvia Mariangeloni (FAO/WFP-UGSS)

Vice-Chairs: Marielle Wynsford-Brown (IAEA)  
Alberto Fernandez-Kleinloog (OPCW)

Core group: All participants in the meeting of the Standing Committee



### *Professional Salaries and Allowances*

Chair: Andrea Leveque (UNESCO/STU)  
 Vice-Chairs: Christian Gerlier (ITU)  
 Walter Parks (ICAO)

Core group: Juan J. Coy Giron (AP-in-FAO), Matthew Montavon (AP-in-FAO), Francis Xavier Campbell (IAEA), David Nolan (IFAD), Henri-Louis Dufour (ITU), Lisa Villard (IAEA), Akim Falou-Dine (ITU), Varghese Joseph (ITU retiree) and Cosimo Melpignano (UNGSC)

### *Staff/Management Relations*

Chair: Viera Seben (ICAO)<sup>2</sup>

Vice-Chair: Megan Lehmann (OPCW)

Core group: Marina Appiah (WHO/HQ Geneva), Francis Xavier Campbell (IAEA), Ezio Capriola (UNGSC), Violante Carlos Lopengo (WHO/AFRO Brazzaville), Lydie Gassackys (WHO/AFRO Brazzaville), Alberto Fernandez-Kleinloog (OPCW), Stephane Vuilleman (UPU), Najib Ben Helal (WIPO), Fansuri Sheikh Feruq (WHO/GSC Kuala Lumpur) and Oliver Steele (WIPO)

155. In closing the agenda item, the President urged the officers of the Standing Committees to meet and communicate throughout the year.

### **Date and place of the next Council session (Agenda item 15)**

156. The FICSA President was unable to provide any details concerning the venue of the Council session in 2018. It would, however, as was customary, be held in the early part of February.

157. A preliminary draft of the provisional agenda for the 71st session would be distributed later in the current year.

### **Other business (Agenda item 16)**

158. No items were raised.

### **Closing of the session (Agenda item 17)**

159. At the closing session, a number of delegates paid tribute and expressed their thanks to the hosts and participants alike. Mr. Gaston Jordan (ICAO), FICSA Treasurer, paid tribute to the WHO/GSC Staff Association for everything it had done to contribute to the success of the deliberations in the period leading up to the session and their commitment throughout Council itself. Mr. Zabaar spoke of his delegation's expectations having been far exceeded. He saw the structure of the Federation and the efficiency of its secretariat as being key to the success of

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<sup>2</sup> Due to his election as Member of the FICSA Executive Committee, Mr. Peter Kakucska (UNFCCC), originally appointed as Chair of the Standing Committee, decided to step down. As such and in consultation with the Vice-Chairs, it was agreed that Ms. Viera Seben take over as Chair and Ms. Megan Lehmann remain as the Vice-Chair.

FICSA. He thanked everybody for their contributions to Council, especially the older colleagues who had devoted so many years to the cause and were about to go into retirement.

160. Ms. Elena Rotondo (FAO/WFP-UGSS) sang paeans of praise and paid tribute to everybody who had contributed to ensuring the smooth running of the Council session. Among the many people she mentioned, she paid special tribute to the polling officers Ms. Kiran Kaur and Ms. Zaleha Shah Din (WHO/GSC), who had provided services far beyond the call of duty. She also thanked Mr. Montavon for everything he had contributed over the years; he would be sorely missed. In his valedictory remarks, Mr. Feruq, President of the WHO/ GSC Staff Association, also spoke of building on the success of the meeting and the strength of FICSA.

161. Mr. El-Tabari spoke of a very long day, but spirits had not flagged. He urged the members of the standing committees to maintain close contact throughout the year ahead. He thanked everybody who had contributed to the success of the meeting, first and foremost WHO/GSC and its Staff Association. The facilities that had been provided begged description. The gracious hospitality, the organizational skills and the marvellous cuisine had been unparalleled. He too paid tribute to Mr. Montavon and his commitment over the years. He acknowledged the services of the interpreters and all the other people behind the scenes who ensured that the meeting had maintained its schedule. He was most grateful to Mr. Irwan Mohd Razali, the Chair of the Council session, who had guided the debate with great skill and maintained the flow of constructive discussion. He thanked the Rapporteur, Mr. Lillie, and looked forward to reading his report.

162. He was also most grateful to the members of FICSA secretariat, Amanda Gatti and Marie-Paule Masson, who had provided such stalwart services prior to and throughout the Council, as well as to Gemma Vestal and Brett Fitzgerald who had devoted all their energies to ensuring the Council's success. He also thanked the members of the former Executive Committee and welcomed the new members.

163. The Chair reiterated his thanks to everybody and declared the 70th session of the FICSA Council closed at 5.15 p.m. on 17 February 2017.

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**Annex 1****AGENDA OF THE 70<sup>th</sup> FICSA COUNCIL**

1. Opening of the session
2. Credentials
3. Election of the Chair, Vice-Chairs and Rapporteur
4. Adoption of the agenda
5. Organization of the Council's work
6. Constitutional matters
7. Questions relating to membership status in FICSA (changes in membership)
8. Report of the Executive Committee for 2016-2017 (February 2016-February 2017)
9. CCISUA/FICSA cooperation
10. Election of the Executive Committee and Regional Representatives for 2017-2018 (February 2017 to February 2018)
11. Approval of the session report:
  - (a) Legal Questions
  - (b) Human Resources Management
  - (c) Social Security/Occupational Health and Safety
  - (d) Conditions of Service in the Field
  - (e) General Service Questions
  - (f) Professional Salaries and Allowances
  - (g) Staff/Management Relations
12. Ad hoc Committee on strategic development
13. Administrative and Budgetary Questions:
  - (a) Report of the Ad hoc Committee
  - (b) Draft programme and budget 2017 - 2018
14. Election of Standing Committee officers for 2017-2018 (February 2017-February 2018)
15. Date and place of the next Council session
16. Other business
17. Closing of the session

**Annex 2****REPORT OF THE STANDING COMMITTEE ON LEGAL QUESTIONS**

Chair	Andrès Orias Bleichner (WMO)
Vice-Chair	Elena Rotondo (FAO/WFP-UGSS)
Rapporteur	Antonella Biasiotto (WHO/EURO Copenhagen)
General Secretary, FICSA	Gemma Vestal (WHO/HQ Geneva)
Treasurer, FICSA	Gaston Jordan (ICAO)
Member, FICSA Executive Committee	Imed Zabaar (IAEA)
Information Officer, FICSA	Brett Fitzgerald

**Participants**

AP-in-FAO	Juan José Coy Girón Matthew Montavon
IAEA	Francis Campbell
ICAO	Elizabeth Gnehm Walter Parks
IMO	Sarah Rabau-Dunlop
ILO ITC	Jesus García Jiménez
UNAIDS	Taavi Erkkola Jason Sigurdson
UNFCCC	Santhosh Thanjavur Prakasam
UNWTO	Maria Teresa Fernández Vanessa Satur
WHO/AFRO Brazzaville	Simbarashe Mazvidza (Harare)
WHO/EURO Copenhagen	David Barrett
WHO/HQ Geneva	Marina Appiah Evelyn Kortum
WHO/GSC Kuala Lumpur	Kiran Kaur Renuka Muniandi Zaleha Shah Din
WHO/SEARO New Delhi	Ritesh Singh

WIPO

Najib Ben Helal  
Christopher Mason  
Olivier Steele

### **Members with associate status**

CERN

Joel Lahaye  
Ghislain Roy

OPCW

Megan Lehmann

### **Guest**

CCISUA

Egor Ovcharenko

### **Introduction**

1. The Standing Committee on Legal Questions (SCLQ) met in two sessions, on Tuesday, 14 February 2017 from 17:15 to 18.30 and on Wednesday, 15 February 2017 from 11:30 to 13:45.

### **Adoption of the agenda (Agenda item 1)**

2. The Standing Committee adopted the following agenda:
  1. Adoption of the agenda
  2. Election of the rapporteur
  3. Internal Justice Reform and access to justice for international civil servants
  4. Periodicity of steps (FICSA/C/70/LEGAL/CRP.3)
  5. Update on the legal defence case of three ICO staff, financially supported by FICSA in 2014 (FICSA/C/70/LEGAL/CRP.4)
  6. ICCO relocation (FICSA/C/70/LEGAL/CRP.6)
  7. FICSA Statutes - Presentation by EXCOM: What is still outstanding and proposed way forward?
  8. Amendments proposed by Members to FICSA Statutes and Rules of Procedure
  9. Implications to Geneva-based staff on acquisition of Swiss nationality (FICSA/C/70/LEGAL/CRP.5)
  10. Proposal for three new legal training workshops (FICSA/C/70/LEGAL/CRP.2)  
The current list of training courses can be found in the FICSA Training Catalogue available on the FICSA website
  11. Resolution supporting WIPO Staff Association
  12. Matters brought by other standing committees
  13. Other business
  14. Nomination of Standing Committee officers and core group members

### **Election of the rapporteur (Agenda item 2)**

2. Ms. Antonella Biasiotto (WHO/EURO Copenhagen) was appointed Rapporteur.

### **Internal Justice Reform and access to justice for international civil servants (Agenda item 3)**

3. As requested by the 69th FICSA Council, the SCLQ monitored the status of the reform process of the United Nations justice system.
4. The Chair of SCLQ provided an overview of the process leading to exhausting internal appeal instances. The presentation continued with an historical overview of the jurisdictions in the UN common system and the list of agencies falling under the jurisdiction of ILO Administrative Tribunal (ILOAT) and those under the two-layered system of the UN Dispute Tribunal (UNDT) and the UN Appeals Tribunal (UNAT). The presentation (see Appendix) concluded with an overview of the pending issues of this reform.
5. A discussion followed on different aspects of the reform, underlining repeatedly the lack of resources in the ILOAT that had to face an increasing number of cases. The discussion also focused on the possibility of member associations/unions or federations acting as *amicus curiae* and thus acquiring proper standing that permitted participation in the cases. In the opinion of the Committee, that would be possible, even if class actions were still not allowed.

### **Periodicity of steps (Agenda item 4)**

6. The FICSA Information Officer, Mr. Brett Fitzgerald, presented the new structure of steps for staff in the Professional and higher categories. The presentation was available as a conference room paper (ref. FICSA/C/LEGAL/CRP.3).
7. In addition to that presentation, the following information was provided. In the previous salary scale, there was an accelerated step increase linked to language proficiency, which had since been abolished. In the previous system, the normal periodicity of steps, as long as performance was satisfactory, had been annual. Under the new system, the periodicity became biennial after step 7.
8. The Standing Committee took the opportunity to clarify that according to the ICSC conversion table and with the steps at the bottom of the scale for P-1 and P-2 having been abolished, P-1 step 1, for instance, became P-1 step 3 and the salary increase followed the same conversion pattern.
9. Moreover, it was clarified that staff falling within the pay protection group could only be promoted if the organization provided for promotions; otherwise, reclassification was the only possibility and organizations had discretionary power to decide on how to implement transitional measures in terms of career prospects.

### **Update on the legal defence case of three ICO staff, financially supported by FICSA in 2014 (Agenda item 5)**

10. The FICSA Information Officer presented an update on the legal defence case of three ICO staff, financially supported by FICSA (document FICSA/C/70/LEGAL/CRP.4).
11. It was explained that FICSA support to the three ICO staff was important as they had been staff representatives at the time their contracts were terminated. No justification was ever provided for that termination. ICO was an international organization under no tribunal

jurisdiction. The issue had been taken up as a test case by the Bretton Woods lawyers to see how to engage with national tribunals.

### **ICCO relocation (Agenda item 6)**

12. Information on the matter and its possible consequences was provided by the FICSA Information Officer (document FICSA/C/70/LEGAL/CRP.6).

### **FICSA Statutes - Presentation by EXCOM: What is still outstanding and proposed way forward? (Agenda item 7)**

13. A member of the FICSA Executive Committee presented the rationale behind the process of amending the FICSA Statutes, which, after a year of analysis and corrections, had been submitted to plenary for acceptance. Subsequently, in its opening session, Council had requested the Standing Committee to review the legal clarity of the wording of those proposed amendments upon which agreement had not been reached and to assess their pros and cons.

### **Amendments proposed by members to FICSA Statutes and Rules of Procedure (Agenda item 8)**

14. The Standing Committee held a debate on three of the proposals to amend the Statutes and responded to the request for clarification of the Rules of Procedure.

#### **Proposal 1**

With respect to Article 31 of the Statutes, the current text read as follows:

**The members of the Executive Committee shall be eligible for re-election, but no member of the Executive Committee may serve longer than five consecutive years.**

WHO/HQ had proposed the following amendment (underlined):

**The members of the Executive Committee shall be eligible for re-election, but no member of the Executive Committee may serve longer than six consecutive years.**

15. The WHO/HQ Staff Association was requested to provide the rationale for the amendment proposed. It was explained that since the President and the General Secretary of FICSA had a two-year term, it seemed logical to align the duration of the mandate to the two-year cycle.

16. The SCLQ considered the rationale behind the current provision of 5 years, under which an Executive Committee member, who started out with a position of one year, could submit his/her candidature for a two-year term position. Conversely, if a person was elected for a two-year position and re-elected for a second term, at the end of his/her mandate s/he could serve for a one-year term as an Executive Committee member, thus providing for the possibility of a hand-over. Shortening the time-limit to 4 years would not serve that purpose.

**Owing to the lack of consensus, the Committee recommended that the Council abide by the Statutes, and that the proposal be made in accordance with Article 20(e) and, if necessary, Article 21(c).**

#### **Proposal 2**

With respect to Article 37 of the FICSA Statutes, the current text read as follows:

Members of the Executive Committee may be recalled by a vote of No Confidence if there is *prima facie* evidence of financial and/or professional mismanagement/misconduct.

17. Plenary had requested that the Committee consider the legal implications of removing *prima facie*.

18. After careful deliberation the Committee submitted the following text for Article 37 for Council's consideration:

**Members of the Executive Committee may be recalled by a vote of No Confidence if there is substantiated evidence of financial mismanagement or misconduct, and/or professional misconduct.**

### **Proposal 3**

With respect to Article 30 of the Statutes, the current text read as follows:

The Council shall elect in the first place the President or General Secretary for a term of two years.

18. The WHO/AFRO Staff Association put forward the request for amendment to this article as follows:

The Council shall elect in the first place the President or General Secretary for a term of two years renewable.

**The Committee rejected the relevance of the amendment as the time limit for the positions of President or General Secretary was provided for under Article 31.**

### **Clarification of Rule 15 of the Rules of Procedure of the Council**

19. After a brief discussion, the Committee decided to create a working group to review the manner in which FICSA accredited delegations to the Council and the procedures and implications derived therefrom.

20. The Committee appointed the following persons as members of the Working Group on Credentials: Ms. Elena Rotondo (FAO/WFP-UGSS), Mr. David Barrett (WHO/EURO Copenhagen), Mr. Joel Lahaye (CERN) and Ms. Viera Seben (ICAO).

### **Implications to Geneva-based staff on acquisition of Swiss nationality (Agenda item 9)**

21. The FICSA General Secretary, Ms. Gemma Vestal (WHO/HQ Geneva), briefed the participants on the joint FICSA and CCISUA preliminary legal opinion submitted by Mr. Ed Flaherty, related to the issue of the legality of removal of entitlements from staff who had newly acquired Swiss nationality (document FICSA/C/70/LEGAL/CRP.5).

22. The Committee recognized the added value of a preliminary legal opinion. It was noted that during the ICSC's review of the compensation package of staff in the Professional and higher categories, it had been asserted that after a certain number of years, staff members based in a duty station should no longer be entitled to home leave, as the link with the home country lost relevance.

23. The case of acquisition of Swiss nationality for a Geneva-based staff member and the primary attachment with the country of the first nationality was considered by ILO Administrative Tribunal (ILOAT) and the jurisprudence was clear in that respect. Consequently,



the Standing Committee considered that the home leave entitlement should be maintained, even for Geneva-based staff members who had acquired Swiss nationality.

#### **Proposal for three new legal training workshops (Agenda item 10)**

24. The FICSA General Secretary briefed participants on the FICSA workshop on the legal appeal process held in Kuala Lumpur in 2016, conducted by Mr. Laurence C. Fauth, FICSA Legal Advisor.

25. Following feedback from the workshop participants, Mr. Fauth proposed to the Federation three types of appeal workshops. Those proposals were shared with the Committee (document FICSA/C/70/LEGAL/CRP.2) together with the comments of the Chair and Vice-Chair.

**The Committee recommended that, if found relevant, the Council decide to include the three proposed workshops in the FICSA training catalogue.**

#### **Resolution supporting WIPO Staff Association (Agenda item 11)**

26. The Standing Committee also spoke of the need to adopt a resolution to show solidarity with staff in WIPO. The final form of the resolution and the channels of distribution would be determined at a later stage during the present Council session (see also paragraph 132 above).

**Following the joint FICSA-CCISUA demonstration, which took place on Wednesday, 25 January 2017, at the Place des Nations to express solidarity with WIPO colleagues and recalling FICSA Resolution 68/2, the Standing Committee recommended that the Council adopt a resolution expressing its support for WIPO staff in all relevant fora.**

#### **Matters brought by other standing committees (Agenda item 12)**

27. No other matters were presented by the other standing committees to the meeting.

#### **Other business (Agenda item 13)**

28. No other matters were raised.

#### **Nomination of Standing Committee officers and core group members (Agenda item 14)**

29. Mr. Andrès Orias Bleichner (WMO) was nominated as Chair and Mr. Joel Lahaye (CERN) as Vice-Chair for the current year 2017. Continuing with the practice begun in the previous session of the FICSA Council, the core group was open to all participants in the meeting.

## Appendix

## Access to justice for international civil servants and Internal Justice Reform

Andres Orias Bleichner  
Chair of the FICSA Standing Committee on Legal Questions

FICSA Council - 70<sup>th</sup> Session - Kuala Lumpur - 13-17 February, 2017

### Exhausting internal appeal instances

The staff member suffers damage attributable to action or omission of the administration (*harassment, violation of a right, non compliance with the terms of appointment or contract of employment, etc.*)

Supervisor - Ombudsman - Ethics Officer - Staff Committee - Mediator, etc.

Grievance Panel or Appeals Board

Administrative decision

If the solution is satisfactory everything stops here.  
If not, look for **external mechanisms**.

## The history of two jurisdictions

### A

Ancient system of justice:

**Administrative Tribunal of the League of Nations**

Established in 1927

Transferred in 1946 to the newly created United Nations and placed under the mandate of the International Labour Office (ILO)

**International Labour Office Administrative Tribunal (ILOAT)**

Since 1946

Competent to hear and judge:

- Provide guarantees that the officials employed by UN and ILO would enjoy protection against arbitrary acts committed by their employer.

Statutes submitted to amendments circulated to all ILOAT members

### B

Ancient system of justice:

**United Nations Administrative Tribunal (UNAT)**

Established in 1949

(UNGA Resolution 351 A(IV) of 24 November 1949)

Independent. Competent to hear and judge:

- Non-observance of contracts of employment of staff by the UN Secretariat.
- Non-observance of their terms of appointment
- Non-observance of the regulations and rules of the UNJSPF, arising out of decisions by the Fund.

Abolished in 2009

## The two jurisdictions today

### A

The same system of justice established in 1946. Some amendments to the Statute of the Tribunal, following consultations with ILOAT members (ILO GB.326/PFA/12/1)

**Statute and its Annex amended in 2016**

**International Labour Office Administrative Tribunal (ILOAT)**

- Seven judges of different nationalities.
- Appointed by the IL Conference on a recommendation of the GB of ILO for a renewable period of three years.
- Meets twice a year (spring and autumn) during 3-4 weeks at the HQ of ILO in Geneva.
- 50-70 judgments at each session.
- Judgments are final and binding on the parties.

### B

New system of justice: "Two-tier formal"

(UNGA Resolutions 61/261 of 4 April 2007, 62/228 of 22 December 2007 and 63/233 of 24 December 2008)

**Operational since 1 July 2009**

*First instance:*

**United Nations Dispute Tribunal (UNDT)**

- Eight judges of different nationalities appointed by the UNGA: 3 full-time, 2 half-time and 3 temporary.

*Appellate instance:*

**United Nations Appeal Tribunal (UNAT)**

- Seven judges of different nationalities appointed by the UNGA.
- Hears and passes judgments on appeals (New York, Geneva and Nairobi).
- 99 judgments each year, final and binding on the parties.



## A Agencies in ILOAT jurisdiction in order of recognition

1. International Labour Organization (ILO), including the International Training Centre
2. World Health Organization (WHO), including the Pan American Health Organization (PAHO)
3. International Telecommunication Union (ITU)
4. United Nations Educational, Scientific and Cultural Organization (UNESCO)
5. World Meteorological Organization (WMO)
6. Food and Agriculture Organization of the United Nations (FAO)
7. World Food Programme (WFP)
8. European Organisation for Nuclear Research (CERN)
9. World Trade Organization (WTO)
10. International Atomic Energy Agency (IAEA)
11. World Intellectual Property Organization (WIPO)
12. European Organisation for the Safety of Air Navigation (Eurocontrol)
13. Universal Postal Union (UPU)
14. European Southern Observatory (ESO)
15. Intergovernmental Council of Copper Exporting Countries (COPREC) (until 2002)
16. European Free Trade Association (EFTA)
17. Inter-Parliamentary Union (IPU)
18. European Molecular Biology Laboratory (EMBL)
19. World Tourism Organization (UNWTO)
20. European Patent Organisation (EPO)
21. African Training and Research Centre in Administration for Development (CAFRAD)
22. Intergovernmental Organisation for International Carriage by Rail (OTIF)
23. International Center for the Migration of Sorals (ICMS)
24. International Office of Epizootics (OIE)
25. United Nations Industrial Development Organization (UNIDO)
26. International Criminal Police Organization (Interpol)
27. International Fund for Agricultural Development (IFAD)
28. International Union for the Protection of New Varieties of Plants (UPOV)
29. Customs Co-operation Council (CCC)
30. Court of Justice of the European Free Trade Association (EFTA Court)
31. Surveillance Authority of the European Free Trade Association (ESA)
32. International Service for National Agricultural Research (ISNAR) (until 14 July 2004)
33. International Organization for Migration (IOM)
34. International Centre for Genetic Engineering and Biotechnology (ICGEB)

## A Agencies in ILOAT jurisdiction in order of recognition

35. Organization for the Prohibition of Chemical Weapons (OPCW)
36. International Hydrographic Organization (IHO)
37. Energy Charter Conference
38. International Federation of Red Cross and Red Crescent Societies
39. Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization (CTBT PrepCom)
40. European and Mediterranean Plant Protection Organization (EPPO)
41. International Plant Genetic Resources Institute (IPGRI)
42. International Institute for Democracy and Electoral Assistance (International IDEA)
43. International Criminal Court (ICC)
44. International Olive Council (IOC)
45. Advisory Centre on WTO Law
46. African, Caribbean and Pacific Group of States (ACP Group)
47. Agency for International Trade Information and Cooperation (A/TIC)
48. European Telecommunications Satellite Organization (EUTELSAT)
49. International Organization of Legal Metrology (OIML)
50. International Organization of Vine and Wine (OIV)
51. Centre for the Development of Enterprise (CDE)
52. South Centre
53. International Organization for the Development of Fisheries in Central and Eastern Europe (EUROFISH)
54. Technical Centre for Agricultural and Rural Cooperation (CTA)
55. The International Bureau of Weights and Measures (BIPM)
56. ITER International Fusion Energy Organization (ITER Organization)
57. Global Fund to Fight AIDS, Tuberculosis and Malaria
58. International Centre for the Study of the Preservation and Restoration of Cultural Property (ICCROM)
59. Global Crop Diversity Trust (Crop Trust)
60. Consortium of International Agricultural Research Centers (CGIAR Consortium)
61. Centre of Excellence in Finance (CEF)
62. Global Community Engagement and Resilience Fund (GCERF)

## B Agencies in UNDT/UNAT jurisdiction

### United Nations Secretariat:

1. DESA (Department of Economic and Social Affairs)
2. DGACM (Department for General Assembly and Conference Management)
3. DFS (Department of Field Support)
4. DM (Department of Management)
5. DPA (Department of Political Affairs)
6. DPI (Department of Public Information)
7. DPKO (Department of Peacekeeping Operations)
8. DFS (Department of Field Support)
9. DSS (Department of Safety and Security)
10. EO (United Nations Ethics Office)
11. EOSG (Executive Office of the Secretary-General)
12. ICSC (International Civil Service Commission)
13. OAJ (Office of the Administration of Justice)
14. OCHA (Office for the Coordination of Humanitarian Affairs)
15. OHCHR (Office of the High Commissioner for Human Rights)
16. OIOS (Office for Internal Oversight Services)
17. OLA (Office for Legal Affairs)
18. OHRLLS (Office of the High Representative for the Least Developed Countries, Landlocked Developing Countries and Small Island Developing States)
19. OSAA (Office of Special Adviser of the Secretary-General on Africa)
20. PSEO (Peacebuilding Support Office)
21. SRSG/CAAC (Office of the Special Representative of the Secretary-General for Children and Armed Conflict)
22. SRSG/SVC (Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict)
23. UNISDR (Office for Disaster Risk Reduction)
24. UNUSPF (United Nations Joint Staff Pension Fund)
25. UNODA (United Nations Office of Disarmament Affairs)
26. UNODC (United Nations Office on Drugs and Crime)
27. UNOMS (United Nations Ombudsman and Mediation Services)

## B Agencies in UNDT/UNAT jurisdiction

### UN Offices Away From Headquarters:

28. UNOG (United Nations Office at Geneva)
29. UNON (United Nations Office at Nairobi)
30. UNOV (United Nations Office at Vienna)

### Regional Commissions:

31. ECA (Economic Commission for Africa)
32. ECE (Economic Commission for Europe)
33. ECLAC (Economic Commission for Latin America and the Caribbean)
34. ESCAP (Economic and Social Commission for Asia and the Pacific)
35. ESCWA (Economic and Social Commission for Western Asia)

### Funds and Programmes

36. UNDP (United Nations Development Programme)
37. UNCDF (United Nations Capital Development Fund)
38. UNEP (United Nations Environment Programme)
39. UNFPA (United Nations Population Fund)
40. UN-HABITAT (United Nations Human Settlements Programme)
41. UNICEF (United Nations Children's Fund)

### Research and Training Entities

42. UNICRI (United Nations Interregional Crime and Justice Research Institute)
43. UNIDIR (United Nations Institute for Disarmament Research)
44. UNITAR (United Nations Institute for Training and Research)
45. UNRISD (United Nations Research Institute for Social Development)
46. UNSSC (United Nations System Staff College)
47. UNU (United Nations University)

## B Agencies in UNDT/UNAT jurisdiction

### Tribunals

- 48. ICTR (International Criminal Tribunal for Rwanda)
- 49. ICTY (International Criminal Tribunal for the former Yugoslavia)
- 50. MICT (Mechanism for International Criminal Tribunals)
- 51. RSCSL (Residual Special Court for Sierra Leone (only for post of Registrar)
- 52. STL (Special Tribunal for Lebanon) (only for post of Registrar)
- 53. UNAKRT (United Nations Assistance to the Khmer Rouge Trials)

### Other Entities

- 54. CBD (Secretariat of the Convention on Biological Diversity)
- 55. CRPD (Secretariat of the Convention on the Rights of Persons with Disabilities)
- 56. ITC (International Trade Centre)
- 57. UNCC (United Nations Compensation Commission)
- 58. UNCCD (Secretariat of the United Nations Convention to Combat Desertification)
- 59. UNCTAD (Secretariat of the United Nations Conference on Trade and Development)
- 60. UNFCCC (Secretariat of the United Nations Framework Convention on Climate Change)
- 61. UNHCR (High Commissioner for Refugees)
- 62. UNOP (United Nations Office for Partnerships)
- 63. UNOPS (United Nations Office for Project Services)
- 64. UNV (United Nations Volunteers)
- 65. UN Women (United Nations Entity for Gender Equality and the Empowerment of Women)

## FICSA in the process of reform

- Supporting its members (workshops, issues of procedure and also legal advice. The staff representatives are alerted of the need of legal knowledge: recent casuistry and universal principles of law)
- Participation in debates, Webex conferences and Round Tables (Round table on the right of appeal in International Administrative Courts, Rome, November 2015).
- Proposals of FICSA to the entities in charge of the implementation of the reform (March 2016: letter to the ILO Director-General in regard to the proposed amendments of the ILOAT Statute and Annex).



## Some ILOAT Pending issues

(from the opinion prepared by Geoffrey Robertson Q.C, London)

- Lack of “equality of arms” between employer and complainant (in particular, inadequate power to obtain disclosure of the employer’s documents).
- Tribunal’s over-strict interpretation of Article II (6) to deny staff associations the right to complain on behalf of members (class actions or even *amicus curiae* briefs).
- Failure to draw up rules of evidence (refusal to countenance oral hearings).
- Lack of effective enforcement power and of sanctions against employer’s organizations which refuse or fail to complain to the letter, with its decisions.

**Annex 3****REPORT OF THE STANDING COMMITTEE ON HUMAN RESOURCES MANAGEMENT**

Chair	David Barrett (WHO/EURO Copenhagen)
Rapporteur	Evelyn Kortum (WHO/HQ Geneva)
President, FICSA	Diab El-Tabari (UNRWA/ASA)
General Secretary, FICSA	Gemma Vestal (WHO/HQ Geneva)
Members, FICSA Executive Committee	Peter Kakucska (UNFCCC)
	Pilar Vidal (PAHO/WHO Washington)
	Imed Zabaar (IAEA)
Regional Representative	Bernadette Fogue (WHO/AFRO Brazzaville)
Information Officer, FICSA	Brett Fitzgerald

**Participants**

AP-in-FAO	Matthew Montavon
FAO/WFP-UGSS	Svend Booth Margarita 'Peggy' Brattlof Sonia Leuzzi Silvia Mariangeloni Carlos Palmer Elena Rotondo Luca Vecchia
IAEA	Francis Campbell
ICAO	Walter Parks Viera Sieben
IFAD	Alessandra Pani
ILO ITC	Jesus García Jiménez
IMO	Sarah Rabau-Dunlop
ITU	Henri-Louis Dufour Akim Falou-Dine Christian Gerlier Christine Gimenez Carmen Montenegro
UNAIDS	Taavi Erkkola
UNFCCC	Santhosh Thanjavur Prakasam



UNGSC	Ezio Capriola Vincenzo de Leo Cosimo Melpigano
UNESCO	Elia Matias
UNWTO	Maria Teresa Fernández Vanessa Satur
UPU	Stephane Vuillemin
WHO/AFRO Brazzaville	Violante Carlos Lopengo Lydie Fanny Gassackys
WHO/EURO Copenhagen	Antonella Biasiotto
WHO/HQ Geneva	Marina Appiah
WHO/WPRO Manila	Grace Ablaña
WIPO	Christopher Mason

#### **Members with associate status**

CERN	Joel Lahaye Ghislain Roy
OPCW	Megan Lehmann

#### **Member with consultative status**

EMBL	Thomas Juettemann
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#### **Introduction**

1. Under the chairpersonship of Mr. David Barrett (WHO/EURO Copenhagen), the Standing Committee met twice to address items 1-10 of its agenda.

#### **Adoption of the agenda (Agenda item 1)**

2. The Standing Committee adopted the following agenda:
  1. Adoption of the agenda
  2. Election of the rapporteur
  3. Panel on Performance Management System (PMS)
  4. Mandatory age of separation (MAS) vis-à-vis acquired rights
  5. Parental leave
  6. Panel on whistleblowing policies in international organizations
  7. Available training for the upcoming year

8. HLCCM proposal - Agenda 2030
9. Other business
10. Nomination of Standing Committee officers and core group members

### **Election of the rapporteur (Agenda item 2)**

3. Ms. Evelyn Kortum (WHO/HQ Geneva) was appointed Rapporteur.

### **Report of the Chair on the previous year's activities**

4. Although not an official agenda item, Mr. Barrett gave a brief report highlighting the activities requested of the Standing Committee at the 69th FICSA Council and the subsequent actions taken by the FICSA Executive Committee over the past 12 months (see previous year's report.)

### **Panel on Performance Management System (PMS) (Agenda item 3)**

5. The first of three presentations was given by a representative from UNWTO.
6. UNWTO was a small organization which, currently, did not have a PMS mechanism. It relied upon 'annual reports' (i.e. a staff evaluation), which were intended to be completed when a staff member's step-within-grade became due. History demonstrated, however, that the annual report was often completed late and in an erratic manner, as well as with no discernible guidelines. Furthermore, as the evaluation was based upon core values rather than on measureable indicators, the evaluation was deemed to depend entirely upon a supervisor's subjectivity.
7. After researching best practices and receiving advice from FICSA, the UNWTO Staff Association had put forward to the Chief of Human Resources (C/HR) suggestions for a PMS. C/HR had agreed and the new appraisal system was coming into force. The new PMS: had expanded beyond core values; was used to develop work plans; included a mid-term evaluation; had a mechanism for addressing underperformance; and included a rebuttal procedure. Anticipated challenges to the incorporation of the new system were: staff resistance to increased complexity of their tasks; lack of current training in effectively measuring performance; and building trust.
8. The second of the three presentations was given by a representative from WHO/EURO Copenhagen.
9. WHO was (globally) expanding its electronic PMS (e-PMDS) with the aim of helping staff in terms of their individual professional paths, in addition to achieving the organizational objectives. Team objectives had been incorporated into the e-PMDS. Competencies were divided into core, managerial and leadership areas. The main feature was a continuous dialogue and feedback mechanism, to which staff could have access throughout the year.
10. Staff's objectives were agreed upon at the beginning of the year. There was a mid-term and end-of-year review. Striving for excellence and managing underperformance were additional features of the e-PMDS. Underperformance was managed through both an informal and formal process. The formal process was managed through the Performance Improvement

Plan (PIP). WHO had also implemented a reward system for recognizing staff achievements. An example of a reward was additional professional training. Monetary rewards were not offered.

11. The last of the three presentations was given by a representative from IAEA.
12. The IAEA had implemented a new PMS, replacing the former Performance Review Report. The new PMS focused on ongoing feedback and development; it was linked to the competency framework. The Staff Council was fully involved in the development of the new system. A pilot group had tested the system before its implementation. HR provided training to staff, including managers.
13. The PMS was applied to different situations within the IAEA. Those included: job applications; contract extensions or non-extensions; step increases; career and staff development; and merit award/merit promotion nominations. The IAEA staff representatives had access to the performance appraisals so as to ensure that the process was conducted in an objective, fair and transparent manner. In cases where poor performance appraisals were contested, staff representatives provided guidance and ensured that the correct procedures were followed. The informal process was emphasized in the latter case. A reward for good performance was also available – immediate recognition rewards, awards (including the Superior Achievement Award and Merit Award) and merit promotions.
14. The Chair opened the panel session up for questions from members of the Standing Committee. Clarification was sought about the rewards and how they were managed - also in terms of budget and quotas. The representative from IAEA replied that a quota contained a maximum of 5 per cent of staff within each department per year. The different divisions would forward their nominations to the respective Deputy Director-General. Supervisors also had the possibility of distributing immediate recognition rewards. It was mentioned that merit promotions were limited.
15. The delegate from UNWTO wondered how a balance was kept when the supervisor expected the staff to work on tasks or issues not covered by their job profiles, which - at UNWTO - were general in nature. A question was asked about the role that a staff representative could play in cases where staff might be requested to work beyond the scope of their terms of reference.
16. The FICSA General Secretary, Ms. Gemma Vestal (WHO/HQ Geneva), remarked that the content of the PMS provided proof of staff members' achievements. For PIP discussions with supervisors, staff members were encouraged to arrange that they be accompanied by a staff representative. Regrettably, administrations usually refused that arrangement. Regardless, the staff associations/unions should insist.
17. IAEA used a reverse appraisal system (equivalent to 180° appraisal) where staff could assess their immediate supervisors who had supervised them for a minimum of six months. They rated the supervisor in terms of knowledge, skills and abilities. They also had the option of including written comments. Only if five staff members had completed a reverse appraisal of a supervisor, would the supervisor have access to it, albeit the content of the reverse appraisal was anonymous. If fewer than five employees had completed a reverse appraisal, the supervisor's senior would provide the feedback.

**The Standing Committee recommended that IAEA share the criteria of their reverse appraisal system and the FICSA Executive Committee post them on the FICSA website.**

18. The delegate from UNFCCC informed the Standing Committee that his organization had a recognition system, whereby people could nominate their peers for recognition and enquired about best practices in the IAEA.

19. At UNGSC, HR strictly monitored PMS compliance. In instances of non-compliance, HR would not renew the contracts of the non-compliant staff.

20. The Chair sought guidance of the panelists on two leading issues: (1) ensuring compliance with the review schedule; and (2) ensuring that mandatory compliance did not affect the quality of the PMS review. The delegate from WHO/EURO replied that objectives were mandatory in the e-PMDS. Quality would be ensured through compulsory training (not yet in place), which also promoted the importance of the process.

21. The delegate from UNWTO responded that the direct supervisor was responsible for work plans. The second supervisor (in their case, the Secretary-General owing to the small size of the organization) was in charge of ensuring that compliance was respected.

22. The representative from IAEA responded that both staff and supervisors ensured compliance as both parties understood that it was in their best interests. The importance of a mid-term review was stressed, especially with regard to contentious issues, so that there were no surprises for the staff member at the year-end review.

23. The representative from WFP spoke of an issue they had been addressing on underperformance. WFP had a 12-18 month cycle in which to address underperformance. Should improvement not occur, the staff member would be dismissed. Supervisors were, therefore, encouraged by the Staff Association to alert their employees to any performance issues as early as possible.

24. The guests from the United Nations Staff Union informed the Standing Committee that their performance appraisals were not regularly undertaken, often being completed late. It might happen that supervisors retaliated through, for example, a sudden negative change in performance assessment. The advice of the guests to staff members was to ensure that a paper trail was always maintained. Should the staff members disagree with comments made by their supervisor, they were encouraged to rebut. By way of comparison, the PEMS was a compulsory exercise at IFAD. Any performance issues in the first half of the year had to be addressed at the mid-year review, otherwise they could not be included in the final year-end review.

**The Standing Committee recommended that the FICSA Executive Committee request PMS policies and procedures from the agencies of all member associations/unions and post those policies on the FICSA website. The Standing Committee further recommended that the FICSA Executive Committee undertake a review of the differences relating to conditions for dismissal through the PMS in terms of time and process, while outlining the best and worst practices.**

### **Mandatory Age of Separation (MAS65) vis-à-vis acquired rights (Agenda item 4)**

25. Mr. Brett Fitzgerald, FICSA Information Officer, reported on the status of implementation of MAS65 in the different member organizations. ICAO was delaying its implementation until 1 January 2019. WHO had provided a choice to its Member States which was due to be voted upon soon. IAEA, UNWTO and the United Nations New York would all implement MAS65 by 1 January 2018. WFP might implement it by 1 January 2018 contingent upon agreement by FAO. FAO, however, had yet to decide upon the implementation date for its own staff.

26. The Standing Committee asked:

- i. Whether there was a legal basis for appealing against late implementation?
- ii. Whether the specialized agencies were selectively choosing (or had the opportunity to choose selectively) from decisions taken by the United Nations General Assembly (UNGA) and, if they were, what purpose did the agencies' involvement with the UNGA serve?
- iii. Whether staff members, who were due for retirement but who had been granted an extension beyond the date of implementation, were eligible to benefit from the MAS65?
- iv. Whether staff members, who had left the UN before retirement under current regulations and before the implementation date, could apply for their own posts, thereby falling under the new MAS65 regulations?
- v. Following implementation, whether procedures were in place for those staff members who wanted to extend their commitment to the age of 65? (At the United Nations, the Staff Union reported that staff advised their administration as to when they wanted to leave, failing which it was assumed that they would continue until 65.)
- vi. Whether FICSA and the staff associations/unions of the respective agencies needed to advocate for accountability on the part of the Member States, if possible, by calling for an all-government approach (i.e. with governments taking the same position across the UN system) to MAS65?

**The Standing Committee recommended that the FICSA Executive Committee budget CHF 2,000 for the purpose of hiring legal counsel to determine if a UN staff member, who was employed with an agency that did not implement MAS65 by 1 January 2018 and who launched a legal appeal against the agency, had a sound legal case.**

**The Standing Committee recommended that the FICSA Executive Committee continue advocating for agencies to implement MAS65 no later than 1 January 2018.**

**The Committee further recommended the FICSA Executive Committee advocate agencies to follow the United Nations' example of implementation procedures and standards, including the automatic extension of an employee's contract until the age of 65, unless otherwise requested by the employee.**

### **Parental leave (Agenda item 5)**

27. A presentation was delivered by a representative of ECSA of IFAD on parental leave, as per the request of the Standing Committee at the 69th Council session.

28. There was a difference between maternity leave and parental leave. Whereas the former was a provision applying to women before and after the birth of her child, the latter was a provision applying to both parents that could be taken at separate times during the first months after the child was born.

29. A joint FICSA-CCISUA survey conducted in 2015 found that 80 per cent of the respondents believed that 16 weeks maternity leave were insufficient.

30. Best examples from the private sector (specifically, companies from the Silicon Valley, United States) were given. General current standards from global regions were also provided. The research had emphasized that parental leave provisions could be an effective tool in the promotion of gender equality, provided that parental leave was, in principle, granted on a non-transferable basis.

31. The floor was then opened for questions and/or comments. WHO had recently updated their maternity leave policy, extending maternity leave to 24 weeks. That had been achieved by providing 16 weeks, as per current rules and regulations, and then an additional eight weeks through paid administrative leave. It was a copy of the model that UNICEF had previously put into force. UNWTO was unique among the UN organizations as it offered paid maternity leave to personnel on non-staff contracts, as well.

32. Harmonization of parental leave and adoption leave provisions were also discussed.

33. FAO/WFP-UGSS asked for a discussion on leave benefit during a risky pregnancy. Current practice was that the mother was required to take sick leave if the problems arose earlier than four weeks prior to birth. Owing to lack of time for an in-depth discussion, the Standing Committee agreed to include the topic as an agenda item at the next FICSA Council session.

**The Standing Committee recommended that the FICSA Executive Committee continue advocating for a shift in policy towards encompassing parental leave and the extension of that leave to a minimum duration of one year.**

**The Committee further recommended that the FICSA Executive Committee also press for an accepted definition of parental leave so that staff benefits could be expanded to include maternity, paternity, surrogacy and adoption leave.**

#### **Panel on whistle-blowing policies in international organizations (Agenda item 6)**

34. The first of four presentations was given by a representative from WIPO.

35. WIPO had three recent whistle-blowers who had been subjected to retaliation: Ms. Miranda Brown, Mr. Moncef Kateb and Mr. Wei Lei. The representative from WIPO stressed the financial and psychological effects on whistle-blowers and their families in the event of retaliation.

36. Ms. Brown, former Director of Strategy to the WIPO Director General, was forced to leave the organization in 2012 after blowing the whistle on the WIPO Director General's shipments of sensitive dual-use computer technology to North Korea and Iran in violation of US sanctions. Mr. Kateb, former President of the WIPO Staff Association, was fired by the Director General on spurious grounds in September 2014. Mr. Wei Lei, current Head of Information Technology,

blew the whistle on the WIPO Director General's alleged award of a procurement contract to an Australian acquaintance whose company had submitted a bid that was CHF 100,000 more expensive than the other closest bidder.

37. The Government Accountability Project (GAP) had submitted written testimony to the US (Congress) House Committee on Foreign Affairs Subcommittees in 2016. In the same year, an OIOS report investigated alleged wrongdoing by the WIPO Director General.

38. Written testimony was presented by GAP to the US (Congress) House Committee on Foreign Affairs Subcommittees in 2016. In the same year, an OIOS report flagged alleged wrongdoings on the part of the Director General.

39. Pursuant to the WIPO whistle-blower protection policy, whistle-blowers were, in principle, protected against retaliation, if they participated in an oversight activity or provided a formal whistle-blower report. For that reason, they were required to go via official channels (Internal Audit and Oversight Division (IOD) and the WIPO Ethics Office) when denouncing waste, abuse of power or misconduct. It was an extremely restricted definition of whistle-blowing. As both IAOD and the Ethics Office reported to the WIPO Director General, questions of independence were raised. The relevant WIPO Office Instruction provided for whistle-blowing via other channels but - again - under very strict conditions. Should the Ethics Office determine that there was a "significant and material conflict of interest (potential, perceived, or real)", the Ethics Office could contact the WIPO Independent Advisory Oversight Committee. If an individual reported whistle-blowing elsewhere, there had to be

"an exceptional and demonstrable reason to indicate that the use of established internal channels:

1. carries the risk of aggravation of the wrongdoing;
2. threatens the preservation of the individual's anonymity; or
3. leads to a justifiable apprehension of retaliation; and
4. the individual does not accept payment or any other benefit from any party for such a report".

40. In the case of Mr. Wei Lei, however, the Ethics Office refused to take any action and the Independent Advisory Oversight Committee said it could do nothing until a new Director of the WIPO Investigation and Oversight Division had been appointed.

41. GAP specialized in protecting and pleading the cause of whistle-blowers. In February 2016, when the US Congress Sub-committee on Foreign Affairs organized a hearing on accountability at WIPO and called for the resignation of the WIPO Director General, Mr. Francis Gurry, GAP submitted written testimony on WIPO that included a checklist of 20 best practices with regard to whistle-blower protection requirements. WIPO was the only UN organization that had not been certified as compliant. Non-compliance had been determined for two consecutive years. As a consequence, the US Congress had withheld 15 per cent of the annual US contributions to WIPO.

42. The revised UN policy on whistle-blower protection introduced by the new United Nations Secretary-General, Mr. António Guterres, in January 2017 determined that if a whistle-blower was refused protection by the Ethics Office in his or her organization, they should take the matter up with another Ethics Office in the UN system. It could be concluded that there was no

guarantee that protection against retaliation would be granted. The revised policy did not provide access to external independent arbitration. It referred whistle-blowers to the UN Disciplinary Tribunal (UNDT), which, unlike the ILO Administrative Tribunal (ILOAT), had no authority to impose reinstatement. Additionally, the new policy did not deal with current whistle-blowers, who had fallen out of the system and who were left in a legal and political void without any recourse.

**The Standing Committee recommended that a working group be established to: (i) research current whistle-blower policies among the organizations of the member associations/unions; (ii) determine where the policies were aligned; (iii) outline the best practices; and (iv) standardize the definition of retaliation and whistle-blowing.**

**The Committee further recommended that Mr. Christopher Mason (WIPO) chair the working group.**

43. The second of four presentations was given by a representative of WHO/HQ Geneva who presented the newly-revised WHO policy, which applied to ALL members of the organization. Its purpose was threefold: (i) it defined “whistle-blowing” focusing on wrongdoing that constituted risk of corporate significance; (ii) it enhanced the protection accorded to whistle-blowers; and (iii) it clarified the responsibility of the administration.

44. The WHO policy focused on: fraud; corruption; waste of resources; sabotage; substantial and specific danger to public health or safety; and sexual exploitation and abuse. It excluded: information already in the public domain; unsubstantiated rumours and hearsay; disagreements over policy or management decisions; personnel issues where staff had a personal interest in the outcome; as well as harassment complaints and personal disagreements or conflicts. (Those were addressed through other policies and organizational paths.)

45. The presentation drew out three issues of importance: (i) anonymity; (ii) performance appraisal, vacancy selections, post reclassifications, reassignment and mobility; and (iii) disciplinary measures.

46. For anonymity, the new policy allowed for an investigation without the whistle-blowers having to reveal their identity.

47. It was notable that the WHO Administration ensured whistle-blowers suffered no adverse consequences in connection with their report of suspected wrongdoing. Furthermore, if a supervisor was the subject of the case, the Ethics Office might recommend that the reporting lines for the whistle-blower’s performance appraisal be adjusted; for example, by appointing a new or additional supervisor.

48. For disciplinary actions, the following possibilities were stated: written censure to be retained in the staff member’s personal record for five years, following which it would be removed; a fine of up to three months’ net base salary; loss of up to three steps at grade; suspension with partial or no pay for up to one month; reduction in grade; dismissal; and summary dismissal for serious misconduct. Disciplinary measures might also be taken in the case of malicious reporting of wrongdoing. Submission of complaints might be submitted directly to the Director of the Ethics Office, or through an Office External Hotline, managed externally and reporting to the Ethics Office. Called ‘*Integrity hotline*’, it had been launched in June 2016. There were complete standard operating procedures for follow-up actions by the



Ethics Office. Additionally, the organization was developing a comprehensive *Code of Ethics and Professional Conduct*.

49. When asked, a leading Ethics Office staff member evaluated the new policy as follows: 'We feel that the policy has been very well received and appreciated by staff. The hotline is also in use and facilitates the reporting of concerns worldwide. We are working in particular on the implementation of the policy sections that relate to preventing retaliation from happening in the first place, which I believe is a critical aspect of the policy'. All WHO Staff Associations would follow up on the evaluation of the effectiveness of the policy (see Appendix 1) and its implementation status.

50. The third of four presentations was given by a representative of FAO.

51. FAO, whose policy was last developed in 2011, covered all staff and non-staff. It was noted that the definition of whistle-blowing was, again, different to other agencies. The FAO policy (Appendix 2) outlined a protective activity as opposed to the protection of the individual.

52. The final of four presentations was given by a representative of CCISUA.

53. The United Nations New York Staff Union shared their experiences, commenting that the policy of FAO resembled that of the UN. The example of Mr. Anders Kompass, a whistle-blower exposing the sexual abuse of children by UN peacekeepers, starkly highlighted the pitfalls of a weak whistle-blower policy.

**The Standing Committee recommended that the FICSA Executive Committee, together with the other staff federations, CCISUA and UNISERV, advocate that the new UN whistle-blower policy incorporate provisions for external arbitration and independence.**

**The Committee further recommended that FICSA urge the UN Secretary-General to protect or reinstate the following UN staff members, should the individuals wish to again work for the UN: Ms. Miranda Brown, Mr. Moncef Kateb, Mr. Wei Lei, Mr. Anders Kompass, Mr. James Wasserstrom and Ms. Emma Reilly.**

#### **Available training for the upcoming year (Agenda item 7)**

54. The Standing Committee discussed two training opportunities. The first was for Negotiations with Performance Management Review (developed by Mr. Simon Ferrar). The second was for training on whistle-blowing. While FICSA offered no current training on whistle-blowing, the FICSA General Secretary suggested that a training course could be developed.

**The Standing Committee recommended that the sum of CHF 5,000 + 2x DSA and 2x flight costs be allocated for training purposes.**

**HLCM proposal - Agenda 2030 (Agenda item 8)**

55. This item was not covered for want of time.

**Other business (Agenda item 9)**

56. A discussion on the use of non-staff contracts was requested. Owing to time constraints, the item was deferred to the 71<sup>st</sup> FICSA Council in 2018.

**Nomination of Standing Committee officers and core group members (Agenda item 10)**

57. Ms. Alessandra Pani (IFAD) was nominated as Chair and Ms. Lisa Villard (IAEA) and Ms. Evelyn Kortum (WHO/HQ Geneva) as Vice-Chairs.

58. No core group was formed.

Appendix 1



# WHO

## Whistleblowing and protection against retaliation

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***Policy and procedures 2015***

Announcement Type	<b>POLICY</b>
Announcement Title	<b>WHO Protection against retaliation</b>
Initiator ( Department)	<b>CRE – Compliance, Risk Management and Ethics</b>
Initiator (Unit)	<b>CRE</b>
Document Name	<b>Information Note</b>
Subject	<b>Standards of Conduct - Whistleblower Protection Policy</b>
Effective Date	
Applicability	<b>All staff</b>
Addressed to	<b>All WHO Offices</b>
Revision / Amendment / Replaces	<b>Not applicable</b>
Related Documents	<b>HR e-guide, III.1.1</b>

## WHO Whistleblowing and protection against retaliation

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## Whistleblowing and protection against retaliation

### 1. Introduction

1. This policy, which supersedes the previous “WHO Whistleblower Protection Policy and Procedures” of November 2006, continues to foster progress towards the open, transparent and fair functioning of WHO. The aim is to encourage the reporting of suspected wrongdoing when the wrongdoing implies significant corporate risk (i.e., harmful to the interests, reputation, operations, or governance of WHO) without fear of retaliatory action in order to enable WHO to take early action. It focusses on the protection against retaliation accorded to whistleblowers who report suspected wrongdoing.
2. To this end, the objective of this policy is threefold:
  - Define “whistleblowing” by differentiating between wrongdoing that constitutes risk of corporate significance and individual grievances that are administered through other established mechanisms<sup>1</sup>;
  - Enhance the protection accorded to whistleblowers that fall within this definition; and
  - Clarify the responsibility of the administration<sup>2</sup>.
3. Consequently, this policy clarifies what constitutes whistleblowing and retaliation. It also lays out the essential principles of WHO’s approach, starting with the underlying position that retaliation against whistleblowers is not tolerated in WHO and constitutes misconduct. Acts of retaliation violate the fundamental obligation of all staff members to uphold the highest standards of integrity and to discharge their functions and regulate their conduct with the interest of the Organization only in view.
4. This policy covers the reporting of (i) suspected wrongdoing that implies corporate risk, and (ii) actual or threatened retaliation. It describes the mechanisms in place to address suspected wrongdoing and how WHO protects whistleblowers from retaliation. This approach enables the establishment of a robust mechanism to prevent retaliation from occurring in the first place.
5. The policy delineates the respective roles and responsibilities of the principal offices supporting its implementation, i.e. the Office of Compliance, Risk Management and Ethics (CRE) and the Office of Internal Oversight Services (IOS).

<sup>1</sup> eManual Section III.12 on Appeals and Grievances <http://emanual.who.int/p03/s12/Pages/default.aspx>

<sup>2</sup> The term “administration” is understood as line management and the human resources department

6. This policy applies to WHO staff members who report, in good faith, suspected wrongdoing of corporate significance at WHO and may be subjected to retaliation as a consequence.
7. This policy in its spirit and principles also applies to non-staff members who report suspected wrongdoing at WHO. This includes in particular individuals who have a contractual relationship with WHO, such as temporary advisers, Special Service Agreement (SSA) holders, Agreement for Performance of Work (APW) holders, consultants and interns, as well as third parties such as vendors, contractors or technical partners who may suspect wrongdoing within or affecting WHO. This policy will serve as a guide to devise effective measures on a case by case basis to address the specific circumstances of non-staff members and their particular vulnerability to retaliatory action.
8. This policy will be disseminated across the Organization and will be published on WHO's Internet Website for information. Related internal policies and procedures will be amended to reflect established protection mechanisms.

## 2. Definitions and principles

### 2.1. Definitions

#### 2.1.1 Reporting of suspected wrongdoing that implies a significant risk to WHO

9. This policy defines “whistleblowers” as individuals who report suspected wrongdoing that implies a significant risk to WHO, i.e. harmful to its interests, reputation, operations or governance. Therefore, this policy applies to but is not limited to reporting any of the following:
  - Fraud, i.e. deliberate and deceptive acts with the intention of obtaining an unauthorized benefit, such as money, property or services, by deception or other unethical means<sup>3</sup>;
  - Corruption;
  - Waste of resources;
  - Sabotage;
  - Substantial and specific danger to public health or safety;
  - Sexual exploitation and abuse.

<sup>3</sup> WHO eManual Section XII.14.1 Fraud policies and reporting of suspected fraud (para 88)  
<http://emanual.who.int/p12/s14/Pages/XII141FraudPoliciesandReportingofSuspectedFraud.aspx>

## WHO Whistleblowing and protection against retaliation

10. Accordingly, not every type of report of wrongdoing falls under this policy. For example, this policy is not intended to cover the following types of reporting:
  - Information already in the public domain (e.g. published articles, publicly available reports);
  - Unsubstantiated rumors and hearsay;
  - Disagreements over policy or management decisions;
  - Personnel issues where staff have a personal interest in the outcome;
  - Harassment complaints and personal disagreements or conflicts with colleagues, or with one's supervisors.
11. Individual grievances, such as complaints regarding discrimination, harassment, or other conflictual interpersonal situations in the workplace are administered separately in accordance with the provisions detailed in the eManual<sup>4</sup>.

### 2.1.2 Retaliation

12. Retaliation is defined as a direct or indirect adverse administrative decision and/or action that is threatened, recommended or taken against an individual who has:
  - reported suspected wrongdoing that implies a significant risk to WHO; or
  - cooperated with a duly authorized audit or an investigation of a report of wrongdoing<sup>5</sup>.
13. Retaliation thus involves three sequential elements:
  - a report of a suspected wrongdoing that implies a significant risk to WHO, i.e. is harmful to its interests, reputation, operations or governance;
  - a direct or indirect adverse action threatened, recommended or taken following the report of such suspected wrongdoing; and
  - a causal relationship between the report of suspected wrongdoing and the adverse action or threat thereof.
14. As such, the adverse action or actions that could constitute retaliation against a whistleblower as defined in paragraph 9 can include without being limited to:
  - Harassment<sup>6</sup>;
  - Discrimination;

<sup>4</sup> eManual Section III.12 on Appeals and Grievances <http://emanual.who.int/p03/s12/Pages/default.aspx>

<sup>5</sup> WHO eManual Section XII.14.1 Fraud policies and reporting of suspected fraud, para. 150

<http://emanual.who.int/p12/s14/Pages/XII141FraudPoliciesandReportingofSuspectedFraud.aspx>

<sup>6</sup> Harassment should not be confused with the usual performance by staff members of their functions and duties, including the discharge of managerial and supervisory responsibilities. Harassment policy, <http://intranet.who.int/homes/omb/documents/policy%20of%20the%20prevention%20of%20harassment%20at%20who%20sept2010.pdf>



- Unsubstantiated negative performance appraisals;
- Unjustified contractual changes: termination, demotion, reassignment or transfer;
- Unjustified modification of duties;
- Unjustified non-authorization of holidays and other leave types;
- Malicious delays in authorizing travel, or the provision of entitlements;
- Threat to the whistleblower, their family and/or property including threats that may come from outside WHO.

15. Retaliation constitutes misconduct in WHO and is subject to disciplinary action.

### 2.1.3 Malicious reporting

16. Malicious reporting of wrongdoing without evidence or reasonable suspicions with the intention of harming another person's integrity or reputation amounts to misconduct and is subject to disciplinary action. This is distinct from reports of suspected wrongdoing made in good faith based on the judgment and information available to the whistleblower at the time of their report, which may not be confirmed by an investigation. In such cases, whistleblowers are covered by this policy.

## 2.2. Principles

### 2.2.1 Obligation to report suspected wrongdoing

17. WHO staff members have a duty to report suspicions of wrongdoing<sup>7</sup>. Individuals who report such cases in good faith are entitled to protection against retaliation in accordance with the provisions of this policy.
18. It is the duty of WHO to address suspected wrongdoing and to take:
- effective measures to protect the whistleblower from retaliation;
  - appropriate corrective action to remedy any retaliation against whistleblowers; and
  - adequate disciplinary measures in cases of misconduct, including those making wrongful accusations.

### 2.2.2 Evidence of retaliation

19. Retaliation will be found to have happened unless the administration can demonstrate by clear and convincing evidence that the act which is suspected to be retaliatory would have occurred even if the whistleblower had not reported a suspicion of wrongdoing. Through its preliminary review, CRE establishes whether there is ground for an

<sup>7</sup> WHO eManual Section XII.14.1 Fraud policies and reporting of suspected fraud, para. 100 <http://emanual.who.int/p12/s14/Pages/XII141FraudPoliciesandReportingofSuspectedFraud.aspx>, and Ethical principles and conduct of staff, para 79 <http://intranet.who.int/homes/eth/documents/compilation%20en%20final.pdf>.

## WHO Whistleblowing and protection against retaliation

investigation and if this is the case refers the matter to IOS for investigation. Through its fact-finding investigation, IOS provides the Director-General/Regional Directors with available information needed to determine whether retaliation is established.

### 2.2.3 Confidentiality

20. The identity of a whistleblower who comes forward for advice regarding the reporting of suspected wrongdoing is protected. Confidentiality will only be waived with their express consent, unless it is a case of clear and imminent danger to the individual in question or another person. Their name will not be revealed to the person(s) potentially implicated in the suspected wrongdoing or to any other person, unless the whistleblower personally authorizes the disclosure of their identity.
21. In a subsequent investigative process, strict confidentiality can only be maintained if the information provided confidentially can be corroborated independently.

### 2.2.4 Anonymity

22. Anonymous reports of wrongdoing are accepted either verbally through the external hotline managed by CRE or in writing through email. The whistleblower is provided with a reference number with which they can identify themselves for future reference in their interaction with CRE.
23. Preliminary reviews and/or investigations can only be undertaken under anonymity if independent data can corroborate the information provided. It is therefore particularly important for anonymous reports of suspected wrongdoing to provide substantiated supportive evidence that allows confirmation of the background.
24. It is noted that protective measures cannot be applied if anonymity is maintained.

### 2.2.5 Protection measures/relief

25. CRE may recommend appropriate measures to the Director-General/Regional Directors to safeguard the interests of and protect the whistleblower from retaliation at any time from the moment the whistleblower comes forward. Protection measures are recommended with the consent of the whistleblower and can include without being limited to the:
  - temporary reassignment;
  - transfer to another office or function for which the whistleblower is qualified;
  - placement on special leave with full pay; or
  - any other appropriate action on a case-by-case basis, including security measures.
26. Protection measures may also include temporary reassignment, transfer, placement on special leave or any other appropriate action on a case-by-case basis with regard to the suspected retaliator.

### 2.2.6 Performance appraisal, vacancy selections, post reclassifications, reassignment and mobility

27. Particular care will be taken during staff performance appraisals, vacancy selections, post reclassifications, and reassignments (including during a mobility exercise) to ensure that whistleblowers suffer no adverse consequences in connection with their original report of suspected wrongdoing.
28. Accordingly, in cases where the whistleblower fears that the relationship with their supervisors may not be conducive to a meaningful performance appraisal, CRE may recommend that the reporting lines for the whistleblower's performance appraisal be adjusted, for example by appointing a new or additional supervisor or in exceptional cases by requesting senior management to conduct the review directly (DAFs/DPMs/Regional Directors, and at Headquarters by ADGs, ADG GMG or the Director-General).

### 2.2.7 Remedies

29. Where the investigation establishes that the whistleblower has been retaliated against, and based on the conclusions of the IOS investigation report, the Director-General/Regional Directors will decide on the appropriate remedy. Any staff member who is found to have been adversely affected by a retaliatory action is entitled to a corrective remedy. Such remedies, with the consent of the whistleblower may include, but are not limited to, the rescission of the retaliatory action, or reassignment to another office or function for which the whistleblower is qualified. Remedies may also include the reassignment of the retaliator.

### 2.2.8 Disciplinary measures

30. In a case of alleged misconduct involving a staff member, if it is considered that the staff member's continued performance of functions is likely to prejudice the interests of the Organization, the staff member may be placed on administrative leave pending a conclusion on the allegation of misconduct. Such administrative leave may be with, or, exceptionally, without pay<sup>8</sup>.
31. Based on investigation results, the Director-General/Regional Directors may initiate disciplinary proceedings<sup>9</sup>.
32. Disciplinary measures may take the form of any one or a combination of the following<sup>10</sup>:
  - written censure, to be retained in the staff member's personal record for five years, following which it will be removed;
  - fine up to three months' net base salary;

<sup>8</sup> Staff rule 1120.1 <http://intranet.who.int/admin/srr/documents/section%2011.pdf>

<sup>9</sup> WHO eManual Section III.11.2 Disciplinary measures <http://emanual.who.int/p03/s11/Pages/default.aspx>

<sup>10</sup> Staff rule 1110.1, <http://intranet.who.int/admin/srr/documents/section%2011.pdf>

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- loss of up to three steps at grade;
- suspension with partial or no pay for up to one month;
- reduction in grade;
- dismissal;
- summary dismissal for serious misconduct.

33. Disciplinary measures may also be taken in the case of malicious reporting of wrongdoing.

### 2.2.9 Reprieve

34. If an individual is himself/herself implicated in the serious irregularities and decides to come forward and report these irregularities, this fact may constitute under certain conditions an extenuating circumstance in any ensuing disciplinary proceedings.

## 3. Reporting wrongdoing that implies significant corporate risk (i.e. “whistleblowing”)

### 3.1 Reporting mechanisms

35. Individuals who suspect wrongdoing that implies a significant risk to WHO’s interests, reputation, operations or governance and are neither concerned that their supervisor may be involved nor fear retaliation, can inform their supervisors through their normal supervisory line.
36. In all cases, supervisors or managers who receive a report of suspected wrongdoing must act to address it fully and promptly and either seek the guidance of CRE for ethics advice or other specialized relevant mechanisms<sup>11</sup>, or report to IOS as applicable.

#### 3.2.1 Ethics advice

37. In cases where individuals who suspect wrongdoing may require guidance or may fear retaliation, CRE offers confidential and impartial advice and support in order to help them assess whether or not certain facts should be reported and which informal and formal options are available<sup>12</sup>. CRE can be contacted directly through:

(i) **CRE Confidential E-mail Address:** [ethicsoffice@who.int](mailto:ethicsoffice@who.int)

(ii) **External Hotline**<sup>13</sup>, managed externally and reporting to CRE

<sup>11</sup> Office of the Ombudsman, HR, Staff Association, Boards of Appeal, for further information, please refer to <http://intranet-pdrive.who.int/public-drives/PubDept/DGO-CRE%20-%20Compliance%2C%20Risk%20Management%20and%20Ethics%20Office/OMB/OMB-WhereToStart.pdf>

<sup>12</sup> See above

<sup>13</sup> Contact details will be added to the policy once the external hotline is operational

### 3.2.2 Investigations

38. In cases where whistleblowers consider it prudent to bypass their normal supervisory line or where the normal communication channels may not be available, they may contact Director, IOS directly or through IOS confidential E-mail address: [investigation@who.int](mailto:investigation@who.int).

## 3.2 Measures to prevent retaliation

39. To encourage whistleblowers to speak up, and prevent retaliation from occurring in the first place, CRE and IOS have established specific measures to address cases that present a significant risk of retaliation against the whistleblower:
- IOS systematically notifies CRE of reports of suspected wrongdoing received by IOS which may present a risk of immediate or future retaliation at any time during an investigation;
  - CRE assesses the level of risk of a whistleblower who may be retaliated against; and
  - CRE works with the whistleblower in full respect of confidentiality to mitigate the risk of retaliation. CRE may recommend interim protection measures to the Director-General/Regional Directors.

## 4. Reporting retaliation

### 4.1. Roles and responsibilities

#### 4.1.1 Reporting mechanism

40. Whistleblowers who believe that they are being subjected to retaliation must contact CRE directly.
41. Retaliation can be reported directly to Director, CRE, through the following means:
- (i) **CRE Confidential E-mail Address:** [ethicsoffice@who.int](mailto:ethicsoffice@who.int)
  - (ii) **External Hotline**, managed externally and reporting to CRE
42. In cases where a whistleblower feels retaliated against, they must report the suspected retaliatory act as soon as possible. The report should be factual and contain as much specific and verifiable information as possible to allow for a proper assessment of the nature, extent and urgency of the preliminary review.
43. In order to help staff who are unsure whether or not certain facts should be reported, CRE offers confidential and impartial advice and support to (potential) whistleblowers.

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44. CRE conducts the initial intake on individual inquiries about retaliation, provides advice, makes referrals, reviews complaints and may recommend measures to protect the whistleblower against retaliation.

### 4.1.2 Preliminary review

45. CRE's preliminary review determines whether a causal relationship between the suspected retaliatory action and the previous reporting of wrongdoing can be established (referred to as a "prima facie" review). CRE undertakes the preliminary review in the following sequence:
  - CRE acknowledges receipt of information reported internally, and communicates with the whistleblower to define immediate next steps.
  - CRE gives the whistleblower within 30 days an indication of the period of time it considers reasonable and necessary to undertake the preliminary review.
  - CRE normally seeks to conduct a preliminary review within 90 days to determine whether there is a causal link between the whistleblower's report of suspected wrongdoing and the suspected retaliation.
  - CRE has access to all offices and staff members and to all records and documents except for medical records which can only be made available with the express consent of the staff member concerned.
  - Should CRE find that there is a credible case of retaliation, it will refer the case in writing to IOS for investigation and will notify the whistleblower.
  - Should CRE find that there is a managerial problem or identify a trend or pattern of complaints in a particular office, it will advise the head of the office concerned and, where necessary, the Ombudsman, and in the regions the DPM, DAF and / or the Regional Director, and at Headquarters ADGs, the ADG/GMG and the Executive Director of the Director General's Office.

### 4.1.3 Interim protection of the whistleblower

46. Where CRE considers that additional workplace harm could occur while suspected retaliation is either under preliminary review or under investigation, CRE may recommend during the investigation that the Director-General/Regional Directors take appropriate interim measures to safeguard the interests of the whistleblower. These measures include, but are not limited to, temporary reassignment, transfer to another office or function for which the whistleblower is qualified, or placement on special leave with full pay, or other appropriate measures on a case-by case basis – with the consent of the whistleblower.

#### 4.1.4 Investigation of reports of retaliation

47. IOS carries out the investigation to establish the facts related to the suspected retaliatory action. It normally seeks to submit the completed investigation report within 120 days from the date of referral by CRE.
48. Should no credible case of retaliation be found, but an interpersonal problem within particular offices, or in between specific individuals, the complaint will be referred to the Office of the Ombudsman or to another relevant mechanism in the Organization.

#### 4.1.5 Conflicts of interest

49. Should an actual or potential conflict of interest exist, making it prudent for CRE to recuse itself from undertaking the preliminary “prima facie” review of a case, CRE will identify an alternative mechanism acceptable to the whistleblower.
50. Similarly, where there may be a conflict of interest in IOS conducting the investigation of a given case, CRE may recommend an alternative mechanism to the Director General/Regional Directors.

### 4.2. Feedback

51. Whistleblowers are entitled to receive information about the status of their case:
  - CRE must acknowledge receipt of a report and communicate with the whistleblower to define immediate next steps. CRE gives within 30 days of the receipt of a report an indication of the period of time considered necessary to undertake the preliminary review (normally within 90 days from receipt of the report of retaliation).
  - IOS gives the whistleblower an estimate of the time considered necessary to conclude an investigation report and advance notice if the period of 120 days normally required is not sufficient.
52. CRE keeps whistleblowers informed of the formal status of their case and of the conclusions of the preliminary review. Whistleblowers are entitled to receive feedback on the outcome of the investigation.

### 4.3. Reporting through external mechanisms

53. Protection against retaliation will be extended to a staff member who reports wrongdoing outside the established internal mechanisms (i.e. CRE and IOS), where the criteria set out in subparagraphs (i), **and** (ii) below are satisfied:
  - (i) Such reporting is necessary to avoid:
    - a substantial and specific danger to public health and safety; or

## WHO Whistleblowing and protection against retaliation

- substantive damage to WHO's operations; or
- violations of national or international law;

**and**

(ii) The use of internal mechanisms is not possible because:

- The individual has previously reported the same information through the established internal mechanisms (and not on an anonymous basis), CRE and IOS have not taken action within their respective periods of time (as indicated under paragraph 54), and the whistleblower has received no response to a specific written feedback request on the status of the matter to both CRE and IOS within 30 days from requesting this feedback; or
- At the time the report is made, the individual has grounds to believe that the person(s) they would report to pursuant to the established mechanisms will either subject them to retaliation or conceal or destroy the evidence relating to their case.

54. External reporting made in accordance with this policy shall not be considered as a breach of staff members' obligations with regard to disclosure or use of WHO's non-public information, and in particular staff members' obligation of Discretion under WHO Staff Regulations<sup>14</sup>.
55. The whistleblower cannot accept payment or any other benefit from any party for such report. External reporting cannot be used to express disagreement with advice previously provided by CRE, or with the results of an IOS investigation. Subsequent decisions regarding remedies or disciplinary action can be appealed by established appeal mechanisms in WHO<sup>15</sup>.

## 5. Annual report

56. CRE issues an annual report outlining a typology of actions taken pertaining to this policy. No names or facts are revealed in the report that could be traceable back to any individual.

<sup>14</sup> WHO eManual Section III.1.1 Standards of conduct, Staff Regulations Article I, Duties, obligations and privileges  
<http://emanual.who.int/p03/s01/Pages/III11Standards.aspx>

<sup>15</sup> WHO eManual Section III.12.3 Grievance Procedures, subsection 8 Appeal mechanisms  
<http://emanual.who.int/p03/s12/Pages/III123GrievanceProcedures.aspx#appeal>





## Appendix 2

# administrative circular

**ORIGINATOR:** Office of the Inspector General (AUD)

**No.** 2011/

**ENQUIRIES TO BE DIRECTED TO:** Investigations Unit

**Date.** 2011

## WHISTLEBLOWER PROTECTION POLICY

### INTRODUCTION

This Administrative Circular is intended to announce FAO's "Whistleblower Protection Policy". The Policy aims to enhance the protection of FAO personnel (also referred to hereafter as "individuals" or "complainants") against retaliation when reporting cases of unsatisfactory conduct, providing information in good faith on wrongdoing by one or more employees, or cooperating with a duly authorized audit or investigation. The provisions below explain the conduct that is protected, as well as the protective measures which FAO will apply in the event of retaliation against whistleblowers. The Whistleblower Protection Policy mandates the Office of the Inspector General to receive and investigate complaints of alleged retaliation.

In conjunction with this Policy, "Guidelines for Internal Administrative Investigations by the Office of the Inspector General" (hereinafter referred to as "Guidelines for Investigations") have been prepared. The Guidelines for Investigations are available at [http://www.fao.org/aud/docs/INV\\_guidelines.pdf](http://www.fao.org/aud/docs/INV_guidelines.pdf), and shall take effect as of the date of publication of this Administrative Circular. They provide a practical internal guide reflecting the general principles which the Office of the Inspector General follows in its investigative process, and which are consistent with the principles laid out in the internationally accepted Uniform Guidelines for Investigations endorsed by the investigative offices of international organizations and multilateral financial institutions.

## **WHISTLEBLOWER PROTECTION POLICY**

The purpose of this policy is to enhance protection against retaliation for FAO personnel<sup>1</sup> (also referred to hereafter as "individuals" or "complainants") who report unsatisfactory conduct, provide information in good faith on wrongdoing by one or more employees, or cooperate with a duly authorized audit or investigation.

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<sup>1</sup> "FAO personnel" refers to staff members and other persons engaged by the Organization, within the meaning of Staff Regulation 301.13.6. It includes *inter alia* personnel specially engaged for conference and other short-term service, consultants, subscribers to Personnel Services Agreements, Associate Professional Officers, Junior Professionals, Interns, Volunteers, part-time personnel, field project personnel, National Professional Officers, National Project Personnel and other personnel locally recruited for services in established offices away from Headquarters.

**DISTRIBUTION:** Headquarters, Regions, Subregions and Liaison Offices FAORs  
and Project Managers  
All field staff

## Background

1. It is the duty of all FAO personnel to report any breach of FAO's Regulations and Rules to officials whose responsibility it is to take appropriate action and to cooperate with the Organization's oversight functions. An individual who makes such a report in good faith has the right to be protected against retaliation.
2. It is the duty of FAO personnel to cooperate with duly authorized audits and investigations. An individual who cooperates in good faith with an audit or an investigation has the right to be protected against retaliation.
3. Retaliation against individuals who have reported unsatisfactory conduct or who have cooperated with audits or investigations violates the fundamental obligation of all FAO personnel to uphold the highest standards of efficiency, competence and integrity and to discharge their functions and regulate their conduct in a manner that is in the best interests of the Organization.
4. Retaliation is defined as any direct or indirect detrimental action recommended, threatened or taken towards an individual who has reported unsatisfactory conduct or provided information concerning the same. When established, retaliation in itself constitutes unsatisfactory conduct that may lead to an administrative or disciplinary action.

## Scope of application

5. Protection against retaliation applies to any FAO personnel (regardless of the type of appointment, contractual status or duration), who:
  - i. reports the failure of one or more FAO personnel to comply with his or her obligations under Organization's Constitution, General Regulations and Rules, the Organization's Financial Regulations and Rules, Administrative Manual, the Standards of Conduct for the International Civil Service, or other relevant organizational administrative issuances. This includes any request or instruction from any FAO personnel to violate the above-mentioned regulations, rules or standards;
  - ii. provides information in good faith on wrongdoing by one or more FAO personnel; or
  - iii. cooperates in good faith with a duly authorized audit or investigation.
6. In order to receive protection under this policy, the individual must make the report in good faith, and must have a reasonable belief that unsatisfactory conduct has occurred. Reports of retaliation must be made as soon as possible and no later than one year after the alleged acts of retaliation have taken place. The transmission or dissemination of unsubstantiated rumours is not a protected activity. Making a report or providing information that is intentionally false or misleading constitutes unsatisfactory conduct and may result in administrative, disciplinary, or other appropriate action.

7. The present administrative circular in no way prejudices the right of a supervisor, initiating body, or similar persons or bodies to apply regulations, rules and administrative procedures, including those governing evaluation of performance and non-extension or termination of appointment. However, in applying such regulations, rules and administrative procedures, FAO management must show by clear and convincing evidence that it would have taken the same action regardless of whether the protected activity referred to in paragraph 6 had been undertaken by the individual concerned.

### **Reporting unsatisfactory conduct**

8. As per the Standards of Conduct for the International Civil Service (MS 304 Appendix A refers), it is the duty of FAO personnel to report unsatisfactory conduct. Confidentiality clauses and oaths in contracts of employment do not preclude such reporting.
9. Reports of unsatisfactory conduct should be made through the established internal mechanisms and following the established guidelines. Depending on the nature of the allegations, this may include:
  - i. the head of the department or office concerned;
  - ii. the Office of the Inspector General;<sup>2</sup>
  - iii. the Director Human Resources;<sup>3</sup>
  - iv. the focal point appointed to receive reports of sexual exploitation and abuse.<sup>4</sup>
10. It is the duty of the individual or body receiving the report to protect to the maximum extent possible the confidentiality of the individual when making the report, as well as in all communications related to the report. The individual's identity should not be disclosed without his or her permission, and only if it is necessary for administrative, disciplinary or judicial action or in order to ensure due process in the investigation of the allegations made.

### **Reporting retaliation**

11. Individuals who believe that retaliatory action has been taken against them because they have reported unsatisfactory conduct or cooperated with a duly authorized audit or investigation should forward all information and documentation available to them in support of their complaint to the Office of the Inspector General as soon as possible. Complaints may be made in person, by regular mail, by phone or by e-mail.

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<sup>2</sup> See Charter of the Office of the Inspector General MS 107 (App. A) and Policy on Fraud and Improper use of the Organization's Resources (Administrative Circular 2004/19).

<sup>3</sup> See Policy on the Prevention of Harassment (Administrative Circular 2007/05).

<sup>4</sup> See Statement of Commitment on Eliminating Sexual Exploitation and Abuse by UN and non-UN Personnel.

12. The functions of the Inspector General with respect to protection against retaliation for reporting unsatisfactory conduct are as follows:
  - i. to receive complaints of retaliation;
  - ii. to keep a confidential record of all such complaints;
  - iii. to conduct a preliminary review of the complaint to determine if:
    - a) the complainant engaged in a protected activity (see paragraph 6); and
    - b) there is a *prima facie*<sup>5</sup> case that the protected activity was a contributing factor in causing the alleged retaliation or threat of retaliation.
  - iv. to investigate complaints where a *prima facie* case of retaliation is determined and report the results to the Director General.
13. Where the complainant can be contacted, the Inspector General will send an acknowledgement of having received the report of retaliation within one week.
14. The Office of the Inspector General will complete its preliminary review within 45 days of receiving the complaint of retaliation.
15. If, in the view of the Inspector General, there is a *prima facie* case of retaliation, s/he will open an investigation into the allegations and will immediately notify the complainant in writing that the matter is under investigation. The Office of the Inspector General will normally complete its investigation and submit its report to the Director General within 120 days.
16. If there is an unavoidable delay in completing either the initial review or the full investigation, the complainant will be notified of this in writing and advised as to when the review or investigation will be completed.
17. Pending the completion of the investigation, the Inspector General may make recommendations to the Director General that appropriate measures be taken to safeguard the interests of the complainant, including but not limited to temporary suspension of the implementation of the action reported as retaliatory and, with the consent of the complainant, temporary reassignment of the complainant or placement of the complainant on special leave with full pay.
18. If the Inspector General finds that there is no credible case of retaliation or threat of retaliation, but finds that there is a dispute within a particular office, s/he will advise the complainant of the existence of mechanisms of conflict resolution in the Organization. A complainant may appeal such a finding by the Inspector General through the applicable recourse mechanism.

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<sup>5</sup> “Evidence that if found to be true would establish retaliation”.

19. If the Inspector General finds that there is a managerial problem based on the preliminary review of the complaint or the record of complaints relating to a particular department or office, s/he will advise the Director General.
20. If, in the opinion of the Inspector General, there may be a conflict of interest in undertaking the investigation, the Inspector General may recommend to the Director General that the complaint be referred to an alternative investigation mechanism.

#### **Protection of the person who suffered retaliation**

21. If retaliation against an individual is established, the Director General may, after taking into account any recommendations made by the Inspector General and after consultation with the complainant, take appropriate measures aimed at correcting negative consequences suffered as a result of the retaliatory action. Such measures may include, but are not limited to, the rescission of the retaliatory decision, including reinstatement, or, if requested by the complainant, transfer to another office or function for which the individual is qualified, where s/he can work independently of the person who engaged in retaliation.
22. The procedures set out in the administrative circular are without prejudice to the rights of an individual who has allegedly suffered retaliation to seek redress through the applicable recourse mechanism.

#### **Action against the person who engaged in retaliation**

23. Acts of retaliation constitute unsatisfactory conduct. Should an investigation establish that an individual engaged in such action, that person may be subject to an administrative or disciplinary action.

#### **Prohibition of retaliation against outside parties**

24. Any retaliatory measures against a contractor or its employees, agents or representatives, or any other individual engaged in any dealing with the Organization because such person has reported unsatisfactory conduct by FAO employees will be considered unsatisfactory conduct that, if established, may lead to an administrative or disciplinary action.

Manoj Juneja  
Assistant Director-General  
Corporate Services, Human Resources, and Finance Department

**Annex 4**

**REPORT OF THE STANDING COMMITTEE  
ON SOCIAL SECURITY / OCCUPATIONAL HEALTH AND SAFETY**

Co-Chairs	Katja Haslinger (IAEA)
	Tanya Quinn-Maguire (UNAIDS)
Co-Rapporteurs	Christine Gimenez (ITU)
	Alessandra Pani (IFAD)
President, FICSA	Diab El-Tabari (UNRWA/ASA)
Member, FICSA Executive Committee	Pilar Vidal Estevez (PAHO/WHO Washington)
Regional Representative	Jason Sigurdson (UNAIDS Washington)
Information Officer, FICSA	Brett Fitzgerald

**Participants**

AP-in-FAO	Roberto Bonafede
FAO/WFP-UGSS	Svend Booth Carlos Palmer
IAEA	Francis Campbell
ICAO	Elizabeth Gnehm Walter Parks
IMO	Edwin Titi-Lartey
ILO ITC	Jesus García Jiménez
ITU	Christine Gimenez Carmen Montenegro
OSCE	Nizar Zaher
UNESCO	Sandra Gallet Andrea Leveque
UNFCCC	Santhosh Thanjavur Prakasam
UNGSC	Vincenzo De Leo Cosimo Melpignano

UNWTO	Maria Teresa Fernández
WHO/AFRO Brazzaville	Violante Carlos Lopengo Bernadette Fogue Simbarashe Mazvidza (Harare) Jasper Pasipamire (Harare) Christian Pethas Magilad
WHO/EURO Copenhagen	Antonella Biasiotto Kay Miller
WHO/HQ Geneva	Evelyn Kortum Stella Tabengwa
WHO/GSC Kuala Lumpur	Fansouri Sheikh Feruq Irwan Mohd Razali
WHO/SEARO New Delhi	Ekkadu Rangarajan Ritesh Singh
WHO/WPRO Manila	James Rarick
WMO	Andrès Orias Bleichner

#### **Members with associate status**

<b>CERN</b>	<b>Joel Lahaye</b>
<b>OPCW</b>	<b>Alberto Fernández-Kleinloog</b>

#### **Federations with observer status**

AFSM-WHO/SEAR	Ram R. Rai
FUNSA Guinea	Lucie Gnongo Beavogui

#### **Introduction**

1. Under the co-chairmanship of Ms. Tanya Quinn-Maguire (UNAIDS) and Ms. Katja Haslinger (IAEA), the Standing Committee met twice to address agenda items 1-8.

## **Adoption of the agenda (Agenda item 1)**

2. The Standing Committee adopted the following agenda:
  1. Adoption of the agenda
  2. Election of the rapporteur
  3. Brief report from the Co-Chairs on activities since the 69<sup>th</sup> FICSA Council
  4. Pension issues
    - a) Update on delays on payments for new pensioners and UNGA December 2016 Resolution
    - b) Recognition of “personal status” by the Pension Fund (Articles 34 and 35)
    - c) Briefing regarding Maher v. United Nations Joint Staff Pension Board (Case No. 2015-866). A denial of request for restoration
  5. Wellbeing
    - a) Update on the issue of after-service health insurance (ASHI)
    - b) Dignity at Work Policy
    - c) Return to Work Policy
    - d) Update on the UN Mental Health Strategy Working Group
    - e) UN Cares
  6. Training requests
  7. Other business
  8. Nomination of Standing Committee officers and core group members

## **Election of the rapporteur (Agenda item 2)**

3. Ms. Alessandra Pani (IFAD) and Ms. Christine Gimenez (ITU) were appointed Rapporteurs.

## **Brief report from the Co-Chairs on activities since the 69<sup>th</sup> FICSA Council (Agenda item 3)**

4. The Co-Chair (UNAIDS) noted that the items on the agenda coincided with the activities since the previous Council meeting. She suggested that the discussion on the agenda items could serve as the report on activities. That suggestion was accepted.

## **Pension issues (Agenda item 4)**

*(a) Update on delays in payments for new pensioners and UNGA December 2016 Resolution*

5. The FICSA President, Mr. Diab El-Tabari (UNRWA/ASA), provided a comprehensive update on the delays in payments from the United Nations Joint Staff Pension Fund (UNJSPF). He summarized FICSA activities in that regard in 2016, which he said had proven to be a challenging and eventful year. He noted that the issue remained a major concern for many retirees. The President also informed the Standing Committee that there had been some success with regard to provisional payments to retirees who had not received their initial pension payments within



three months of their retirement documentation having been received by the Pension Fund secretariat.

6. The representative from FAO informed the meeting that there had been significant improvements in the processing of payments to retirees. However, the representative from UNGSC reported that major delays were still being recorded in respect of their retirees.

7. The representative from FAO recommended that, in order to facilitate prompt payment of pensions, staff associations/unions should alert their membership to the importance of submitting the correct documentation and verifying online data (for example, the date of birth must be accurate).

8. Among other issues of concern, the FICSA President reported that during the UNJSPF Board meeting in July 2016 the staff federations, including FICSA, had been denied the opportunity to make a speech. He further reported that, for the first time ever, the joint statement of the staff federations was not attached to the final report of the UNJSPF Board meeting. The FICSA President reported that concern had been expressed to the Chair of the Board in writing. He further reported that the written statement had been communicated to the Fifth Committee of the UN General Assembly (UNGA) at its December session.

9. After providing a summary of the situation, the FICSA President requested the Standing Committee to provide the FICSA Executive Committee with a recommendation to apprise the latter on their strategy for the coming year.

10. The FICSA Information Officer provided the Standing Committee with a summary of the contents of a draft audit report. The summary was available in conference room paper FICSA/C/70/SOCSEC/CRP.3.

*(b) Update on the issue of recognition of personal status*

11. The Standing Committee noted the update on the issue of recognition of personal status by the UNJSPF and welcomed the positive development after many years of advocacy on the subject by FICSA (document FICSA/70/SOCSEC/CRP.2).

*(c) Briefing regarding Maher v. United Nations Joint Staff Pension Board (Case No. 2015-866). A denial of request for restoration*

12. The FAO representative reminded the Standing Committee members that their organizations should be cautious when filing appeals against the UNJSPF as their sole chance of success lay in proving that rules had been broken: the appeal of Maher v. the UNJSPF being a case in point.

13. The Standing Committee thanked Mr. Svend Booth (FAO/WFP-UGSS) for his many years of contributions to, and leadership of, the Standing Committee.

The Standing Committee requested the FICSA Executive Committee to: (a) ensure that the UNJSPF Newsletter was made available to membership on the FICSA website; (b) encourage the membership to ensure that, to the extent possible, participants' representatives on the Board of the UNJSPF were members of staff representative bodies; (c) insist, in its statement to the Fifth Committee, that the report of the Fifth Committee contain the joint statement of the staff federations to the UNJSPF Board at the latter's session in July 2016; (d) request in their meeting with the Executive Office of the Secretary-General that the final version of the OIOS Audit report be published and made publicly available; and (e) request that the UNJSPF key performance indicators be made available to staff and be updated on a regular basis.

### Wellbeing (Agenda item 5)

#### *(a) Update on the issue of after-service health insurance (ASHI)*

14. The Co-Chair (UNAIDS) provided the Standing Committee with a brief report of the Federation's participation in the UN Inter-agency Working Group on ASHI since the previous Council. She gave a brief history of the Working Group for the benefit of the new members. She noted that, in a number of meetings throughout the year, the Working Group had continued to focus its work on the following areas: collective negotiations with third-party administrators; collective negotiations with healthcare providers; underwriting reviews and negotiations with insurers; national health insurance schemes; broadening the UNJSPF mandate; standardizing the general ASHI liability valuation methodology, as well as the establishment and application of key valuation factors; adequate funding of the ASHI liabilities; and investment of reserves. The Co-Chair (UNAIDS) reminded the Standing Committee that the Working Group was guided by the request of the UNGA to 'undertake a survey of current healthcare plans for active and retired staff within the United Nations system, to **explore all options to increase efficiency and contain costs** and report thereon at its seventieth session'.

15. With regard to the future focus of the working group, the Co-Chair (UNAIDS) noted that the UNGA had endorsed the initial recommendation that the pay-as-you-go (PAYG) approach to the funding of the United Nations ASHI obligations be continued 'at the present time'. She further noted that the Secretary-General remained concerned over the level of unfunded ASHI liabilities. The Working Group had thus been requested to elaborate on a proposal to fund newly constituted ASHI liabilities, while maintaining a PAYG approach where existing liabilities were concerned. She stressed that the Working Group's proposals were aimed at assuming control over the escalation of the ASHI liabilities of the United Nations Secretariat and limiting its impact on future budgets – but they had not been aimed at the liabilities of the specialized agencies.

16. The Co-Chair (UNAIDS) reported that FICSA was particularly concerned over the recommendations related to national health insurance schemes. She also noted that, through their participation in the working group, FICSA had advocated that the respective UN health insurance packages should remain the minimum standard for participants. That was in line with

the thinking in FAFICS, with which FICSA had been cooperating over the past few years on that particular topic.

17. The delegate from WHO/GSC Kuala Lumpur reminded the Committee that owing to the increasing practice of issuing temporary and short-term contracts, many staff members were finding it difficult to meet the minimum eligibility requirements for ASHI. In particular, staff members were facing situations where it was costly, if not impossible, to avail themselves of private insurance following their separation from the organization. Furthermore, there was no guarantee that they would continue to enjoy health insurance coverage on retirement.

*(b) Dignity at Work Policy*

18. The WHO/HQ Staff Association made a presentation to the Standing Committee on the work they had undertaken in developing an organization-wide campaign in WHO entitled 'Respectful Workplace'. The presentation was complemented by inputs from WHO/AFRO Brazzaville, which had also participated in the campaign.

19. The Committee requested that WHO share the presentation with the FICSA Secretariat, as well as any other relevant documentation, which would be made available to the membership via the FICSA website.

*(c) Return-to-Work Policy*

20. The second Co-Chair (IAEA), informed the Standing Committee about the initial steps that the IAEA had taken towards drafting and implementing a return-to-work policy. She reported that, given other priorities, work on the issue had had to be suspended. However, she remarked that the contacts made and insights gained during the training course on stress management (Berlin, 23 and 24 May 2016), as reported in document FICSA/CIRC/1232, provided a solid basis for further work on the policy. She invited the members of the Standing Committee's core group to work on drafting such a policy.

*(d) Update on the UN Mental Health Strategy Working Group (MHSWG)*

21. The Co-Chair (UNAIDS) informed the Standing Committee that FICSA had been represented at an initial meeting of the MHSWG in July 2016. She reported that at that meeting, draft terms of reference (ToR) for the working group had been approved. She also reported that concern had been voiced over the resources available to the Working Group; it was agreed that a consultant should be engaged to assist the Working Group move ahead. The Co-Chair (UNAIDS) informed the Committee that the Working Group had agreed to develop a repository of documents; she hoped to be able to make those resources available to the FICSA membership in the near future in the hope that the documents would prove useful to those FICSA members who wished to develop policies relating to mental health in their own organizations. It was noted that the next meeting of the MHSWG would be held 27 and 28 February 2017 in Geneva. That meeting would precede the meeting of the UN HR Network. The Co-Chair (UNAIDS) informed the Standing Committee

that the Chief Executives Board (CEB) intended to capitalize on the presence of medical and HR experts in Geneva and convoke a caucus of HR Directors and Medical Directors in an attempt to streamline the approach to well-being issues across the various working groups.

(e) *UN Cares*

22. The Co-Chair (UNAIDS) informed the Standing Committee that since the previous FICSA Council, the UN Cares Task Force had not met in 2016. She further reported that a ‘brainstorming’ meeting had been held in Geneva in August 2016, convened by the CEB with the aim of reaching consensus on the future of UN Cares. FICSA had participated in that meeting. She reported that the meeting had reached no conclusive outcome. The Co-Chair (UNAIDS) remarked that, in her opinion, the lack of general understanding in terms of the definition of ‘well-being’ among the participant organizations had contributed greatly to that final outcome. She further noted that in the course of that meeting, FICSA had advocated retaining UN Cares. The Federation had drawn particular attention to the network of dedicated staff volunteers, who had brought general well-being issues to the fore at their duty stations and achieved a number of significant results, as well as the award-winning training on the topics of diversity, stigma reduction and harassment under the banner of UN-for-All. FICSA had also witnessed the important contribution that UN Cares could make to the work of the UN working groups on Duty of Care and Mental Health.

23. A number of delegates, including those from FAO and FUNSA Guinea, testified to the importance of the work of UN Cares, particularly to staff in the field.

**The Standing Committee recommended that the FICSA Executive Committee: (a) advocate a system-wide approach to, and investments in, employee well-being to the benefit of all organizations and duty stations that would build on the success of UN Cares and be carried out in line with the principles outlined in the work undertaken, inter alia, on duty of care in high-risk environments, UN system mental health strategy and occupational safety and health framework, while ensuring continued attention be paid to HIV so as to attain the UN Cares 10 minimum standards for staff living with HIV that had not yet been achieved in all duty stations; (b) ensure that FICSA members had the requisite capacity to advocate and support a mentally healthy workplace, in particular the capability to address the fear, stigma and misunderstanding of mental health issues by offering the membership a training course on mental health in the workplace; and (c) advocate that the UN-for-All project continue to be rolled out across the UN system, irrespective of whether the UN Cares programme continues in its current form.**

**Training requests (Agenda item 6)**

24. The following requests were made for FICSA training courses on:

- a. **Mental health in the workplace:** UNAIDS and WHO/EURO Copenhagen offered to host the course. WHO/AFRO Brazzaville and FUNSA Guinea requested that the same workshop be conducted in English and possibly in French. It was noted that the

availability of material and trainers in French would have to be investigated by FICSA. WHO/GSC Kuala Lumpur also offered to host the course.

- b. **Pensions:** The course was requested by WHO/AFRO Brazzaville, ITU and FUNSA Guinea; all three associations also offered to host the courses.
- c. **Harassment in the workplace:** The course was requested by WHO/AFRO Brazzaville and IAEA. Both staff associations offered to host the course.

25. Both WHO/EURO Copenhagen and ITU offered to host FICSA training courses, if necessary, subject to approval by their administrations.

### **Other business (Agenda item 7)**

26. It was noted that SCBD had requested information pertaining to health insurance limits on eye care. It was suggested that the delegate should write to the FICSA Secretariat and request information from the membership on the issue.

### **Nomination of Standing Committee officers and core group members (Agenda item 8)**

27. Ms. Tanya Quinn-Maguire (UNAIDS) was nominated as Chair and Ms. Katja Haslinger (IAEA) as Vice-Chair. Both accepted their nominations.

28. The following were nominated as core group members:

Kay Miller (WHO/EURO Copenhagen)  
 Elizabeth Gnehm (ICAO)  
 Pilar Vidal Estevez (PAHO/WHO Washington)  
 Jason Sigurdson (UNAIDS)  
 Christine Gimenez (ITU)  
 Stella Tabengwa (WHO/HQ Geneva)  
 Lucie Gnongo Beavogui (FUNSA Guinea)  
 Christian Pethas Magilad (WHO/AFRO Brazzaville)

## Annex 5

### REPORT OF THE STANDING COMMITTEE ON CONDITIONS OF SERVICE IN THE FIELD

Chair	Zaid Al Nahi (WHO/EMRO Cairo)
Vice-Chair	Jasper Pasipamire (WHO/AFRO Harare)
Rapporteur/Member, FICSA Executive Committee	Véronique Allain (SCBD)
President, FICSA	Diab El-Tabari (UNRWA/ASA)
Regional Representatives	Bernadette Fogue (WHO/AFRO Brazzaville)
	Jason Sigurdson (UNAIDS Washington)

### Participants

AP-in-FAO	Roberto Bonafede Christopher Pardy
CERN	Joël Lahaye
IFAD	Dave Nolan
ITC/ILO	Jesus García Jiménez
ITU	Henri-Louis Dufour
OPCW	Alberto Fernández-Kleinloog
UNESCO	Andrea Leveque Elia Matias
UNGSC	Cosimo Melpignano
WHO/AFRO Brazzaville	Simbarashe Mazvidza (Harare) Christian Pethas Magilad
WHO/GSC Kuala Lumpur	Irwan Mohd Razali
WHO/HQ Geneva	Stella Tabengwa
WHO/SEARO New Delhi	Ekkadu Rangarajan Ritesh Singh

WHO/WPRO Manila

James Rarick

WMO

Andrès Orias Bleichner

### **Federations with observer status**

AFSM/WHO-SEAR New Delhi

Ram L. Rai

FUNSA Guinea

Lucie Gnongo Beavogui

### **Guest**

UN Staff Union New York

Meriam Gueziel

### **Adoption of the agenda (Agenda item 1)**

1. After re-ordering the sequence of agenda items, the Standing Committee adopted the agenda as below:

1. Adoption of the agenda
2. Nomination of Standing Committee officers and core group members
3. Election of the rapporteur
4. Review of the compensation package for Professional staff deployed in the field and its potential and upcoming impacts on UN staff deployed in the field
5. Duty of care for UN personnel in the field
6. Briefing on 25th session of IASMN (2017)
7. 2016 Annual Review of hardship duty stations for the Asia & Pacific region
8. Briefing on review of classification of duty stations
9. Devaluation of local currency in Cairo
10. Other business

### **Election of the rapporteur (Agenda item 3)**

2. Ms. Véronique Allain (SCBD) was appointed rapporteur.

### **Review of the compensation package for Professional staff deployed in the field and its potential and upcoming impacts on UN staff (Agenda item 4)**

3. The President of the Federation, Mr. Diab El-Tabari (UNRWA/ASA), introduced the agenda item by explaining that the review of the compensation package for Professional staff had introduced changes for staff deployed in the field with several adjustments introduced from 1 July 2016, which included:

- A 24-month home leave cycle for all duty stations, except for duty stations classified at the D and E level that did not fall under the Rest & Recuperation framework (a total of 9 duty stations);
- Unified hardship rates regardless of the dependency status, based on grade brackets. The new rates were equal to current rates for staff with a dependent;
- Non-family service allowance: a fixed amount irrespective of the grade level;
- The mobility incentive was currently based on the grade level and the number of moves, irrespective of dependency status, which resulted in losses for some staff; and
- New mobility incentive that was no longer paid when staff were transferred to headquarters duty stations.

4. The FICSA President explained that there were not many field staff members who had contacted the Federation regarding possible appeals. Instances where an appeal might meet with success on the grounds of acquired rights were limited.

**The Standing Committee recommended that the Executive Committee work in collaboration with the Standing Committee on Professional Salaries and Allowances, with regard to providing a table demonstrating the adverse changes for staff working in the field.**

**The Standing Committee further recommended that the Executive Committee inform the ICSC of the negative effects of eliminating accelerated home leave in duty stations classified at the C level, when the security situation necessitated restriction of movement, thus increasing isolation and hardship for staff.**

#### **Duty of Care for UN personnel in the field (Agenda item 5)**

5. The Federation participated in the HLCM Working Group on Duty of Care for UN personnel operating in high-risk environments, which had presented its report to the High-Level Committee on Management (HLCM) the previous year and underscored overall that the UN did not provide a comprehensive support system for staff. The Working Group identified a range of concerns in four categories: medical; psychosocial; safety and security; and administration and human resources. Regarding compensation and related conditions of service, the review identified, and expressed concern over, 'significant and consistent differences in the allowances, benefits, and entitlements for internationally-recruited versus locally-recruited staff, including with regard to danger pay and health benefits'. The Working Group had also documented that staff and management were not aware of the provisions and support structures that existed.

6. In the course of its discussions, the Standing Committee highlighted that the HLCM's Duty of Care work-stream was important for staff representatives as it focused on the *non-waivable duty* on the part of the organization to mitigate or otherwise address foreseeable risks that might harm personnel and eligible family members. As such, it opened up opportunities for strengthening policies and support services available to staff, backed by clear accountability measures. It could also be used in support of advocacy to counter worrying recent developments reported by some associations/unions, including FAO, whereby staff health insurance coverage



for locally recruited staff had been further restricted in terms of both geographic scope and reimbursement limits. Those developments widened the gap between locally and internationally recruited staff in terms of their access to quality health services and psychosocial support.

7. The Federation would be represented on the HLCM Task Force responsible for supporting the operationalization of the recommendations. All FICSA member associations/unions were encouraged to review the Working Group report (ref. CEB/2016/HLCM/11) and use the recommendations in their advocacy with senior management on issues related to health, well-being and security of their members, particularly those serving in high-risk environments.

**The Standing Committee requested the FICSA Executive Committee to continue its involvement in the follow-up to the Working Group on the Duty of Care for UN personnel operating in high-risk environments, with particular attention being paid to adequate and equitable access to healthcare and psychosocial support for both locally and internationally recruited UN personnel, and the development and enforcement of UN system-wide health and safety standards.**

**The Committee further requested the Executive Committee to ensure that the upcoming ICSC review of conditions of service of locally-recruited staff include a focus on staff serving in high-risk field environments and take into account the findings and recommendations of the HLCM Working Group on Duty of Care, in particular as they applied to danger pay.**

#### **Briefing on 25th session of IASMN (2017) (Agenda item 6)**

8. The Federation participated in the February 2017 session of the Inter-Agency Security Management Network (IASMN), co-hosted by the World Bank and IMF in Washington, D.C. Issues on the agenda had included: updates to security training for staff; mobility and workforce development for UN security professionals; emergency telecommunications; residential security for locally-recruited staff; road safety; and gender-considerations in security management. It was noted that since the previous FICSA Council in 2016, the UN Joint Inspection Unit (JIU) had issued a report on Safety and Security in the United Nations System (ref. JIU/REP/2016/9).

9. In the course of its discussions the Standing Committee encouraged staff representatives to meet with their organization's representative on the IASMN and discuss priorities for ensuring safety and security for staff in all locations. They should also invite views on how staff representatives could best advocate for sufficient investment in measures to manage security risks and vulnerabilities related to their organizations' activities. The upcoming session of the IASMN would take place in Montreux, Switzerland, in June 2017.

#### **2016 Annual Review of hardship duty stations for the Asia & Pacific region (Agenda item 7)**

10. The FICSA Executive Committee Member for Field and Regional Issues, Ms. Véronique Allain (SCBD), referred to her mission report on attendance at the annual meeting of the ICSC Working Group that had been tasked to review the hardship duty stations according to conditions of life and work, mainly in the Asian and Pacific region. Of the duty stations reviewed, 100 were on

mandatory review, seven were being temporarily classified, four were rated for a transition period and 116 were on the security watch list because they were rated D in security by the UNDSS). Particular attention was devoted to **New Delhi, India** and **Dhaka, Bangladesh**. The air pollution levels in New Delhi had reached unprecedented levels per cubic metre that were considered unsafe according to WHO standards. As a result of the poor air quality, a call had been made to: reduce staff tenures; reconsider bringing families to New Delhi; limit outdoor activities; and provide air purifiers in both private residences and offices. For the UN organizations seeking to deploy international staff in New Delhi, it was becoming increasingly difficult to attract staff.

11. As for Dhaka, safety and security were a serious concern: public parts of the city were unsafe and, after sunset, movement was severely restricted. UNDSS had noticed increased violence towards the LGBTI community and towards foreigners working in Dhaka. The recent terrorist attacks had resulted in security measures, thus creating a high level of isolation.

12. The UN Medical Officer had raised doubts as to the accuracy of the health-related information that the duty stations had submitted for the annual review. High levels of environmental pollution were also reported. Nonetheless, the overall classification had been maintained at the C level.

13. The methodology for classifying duty stations only poorly captured the isolation and environmental factors.

14. Both Dhaka and New Delhi would be reviewed again at the ICSC mid-year review session in June 2017, based on questionnaires to be re-submitted by the end of March 2017. That represented an opportunity to better reflect the actual reality on the ground.

**The Standing Committee requested the Executive Committee to assist colleagues in Delhi and Dhaka by providing technical support in preparing the revised questionnaire on living and working conditions, to be submitted for the ICSC mid-year review in June 2017 so as to help ensure that the results of the upcoming classification reflect the actual conditions faced by staff working in those duty stations.**

#### **Review of the methodology for the classification of duty stations (Agenda item 8)**

15. The Executive Committee Member for Field and Regional Issues reported to the Standing Committee that the ICSC had proposed to review the methodology for classifying field duty stations and its shortcomings. The work would start at the March 2017 session of the ICSC.

16. After eight rounds of reviews (4 yearly and 4 mid-yearly reviews) for all three regions, some changes in the methodology needed to be introduced to better reflect the situation on the ground and ensure more accurate information before deploying UN staff to those duty stations. It was becoming clear that the current system for hardship categorization needed to be expanded so as to include a wider range of categories and accommodate differences within categories, as well as address the problem of a wide range of duty stations classified at the A level. The weight

of each indicator should of necessity be revisited and consideration taken of the diversity of the UN staff as well as their personal and family situations. The disproportionate weight given to the security and health indicators in comparison to other indicators in the overall rating of field duty stations should be reviewed.

**In connection with the ratings used in the revised methodology for classifying duty stations, the Standing Committee requested the Executive Committee to:**

**Advocate that increased weight be accorded to the following factors:**

- Isolation factors resulting from restrictions on movement introduced to mitigate security risks;
- Environmental factors, including air, water and noise pollution as well as food contamination;
- Discrimination, harassment and violence faced by members of the LGBTI community; and
- Gender-based violence.

**The Standing Committee also urged that:**

- Health data duly reflect possible gaps in the availability and access to health-care services that both women and men experienced;
- In cases where the quality of data in duty stations under review were either inadequate or absent, use be made of data from independent external sources, such as the comparator civil service, the World Bank or health insurance providers; and
- The process of classification be independent of all considerations of a political nature.

**The Standing Committee further requested the Executive Committee to establish an ad hoc technical committee to support the FICSA Executive Committee Member for Field and Regional Issues so as to assist her in preparing the Federation's input to the methodology review.**

#### **Devaluation of local currency in Cairo (Agenda item 9)**

17. The Chair provided a chronological overview of the situation in Egypt, where the devaluation of the Egyptian Pound in November 2016 had negatively affected the General Service staff, who found purchasing power cut by more than half. Concerns were raised that devaluation would also have a negative impact on staff pensions, as a result of which several staff members had decided to take early retirement. It was also reported that staff were unclear as to the special measures available to them, even though staff representative had been encouraging their administrations to advocate through the appropriate channels and call for the following:

1. Specific measures of non-pensionable bonus;
2. Request for an interim salary survey; and
3. Request for the advancement of a comprehensive salary survey (officially scheduled to take place in 2019).

18. The FICSA President provided further details on the steps taken by staff and management in the duty station. A series of discussions had taken place which included reaching out to the OHRM, which initially had not accepted the data collected on the grounds that many comparators at that time showed no change over previous years.

19. Eventually, a positive outcome had been reached in February 2017; a non-pensionable bonus for four months, equivalent to 16.3 per cent of net monthly salary, effective 1 December 2016, had been approved. Staff had however been discontent with that outcome because it was below the three-month salary equivalence that they had expected.

20. Some members of the Standing Committee shared their experience of similar occurrences in Ukraine and Zimbabwe. Despite a number of similarities, it was apparent that each context had its own specificities, specifically Zimbabwe which was characterized by hyperinflation. It was recommended that a list of 10 major steps (see Appendix) should be drawn up to help staff representatives inform staff of the action to be taken to protect salaries and purchasing power in the event of rapid currency devaluation.

21. The members of the Standing Committee were informed of the establishment of a task force under the umbrella of the Standing Committee on General Service Questions to participate in the ICSC compensation review for locally recruited staff. Active involvement and close collaboration between the two standing committees were strongly recommended.

22. The need for a proactive approach was noted: one that would support rapid responses to immediately address the negative impact on staff. A list should be drawn up of those countries that were likely to face similar conditions.

**The Standing Committee recommended that during the review of the compensation package for locally recruited staff, FICSA advocate for the introduction of an improved mechanism to address the negative impact of high inflation and currency devaluation.**

**The Standing Committee further recommended that the FICSA Executive Committee share details of the ten major steps (see Appendix) and encourage those associations/unions that had experienced a similar deterioration in economic conditions to share their experience.**

**The Standing Committee also recommended that FICSA organize specific training on the special measures contained in the current methodology and publicize the same for staff based in countries vulnerable to rapid currency devaluation.**

**Other business (Agenda item 10)**

23. One member of the Standing Committee expressed concern that two different entities (ICSC and the UN Secretariat) applied two different salary survey methodologies relating to locally recruited staff. That fragmented approach could potentially result in the ICSC losing perspective of the consistent application of both methodologies.

**Nomination of Standing Committee officers and core group members (Agenda item 2)**

24. Mr. Zaid Al-Nahi (WHO/EMRO Cairo) was nominated as Chair and Mr. Jasper Pasipamire (WHO/AFRO Brazzaville, Harare Office) as Vice-Chair.

25. The following participants were nominated as core group members:

Jesus García Jiménez (ILO ITC)  
Ekkadu Rangarajan (WHO/SEARO New Delhi)  
Stella Tabengwa (WHO/HQ Geneva)  
Lucie Gnongo Beavogui (FUNSA Guinea)  
Jason Sigurdson (UNAIDS Washington).

## Appendix

### **TEN MAJOR STEPS THAT STAFF REPRESENTATIVES COULD TAKE TO PROTECT SALARIES AND PURCHASING POWER IN THE EVENT OF RAPID CURRENCY DEVALUATION**

1. Convene a meeting of staff representatives across the agencies present at the duty station. Discuss developments and establish a contact group to monitor the situation and coordinate action.
2. Collect data and know both the official bank rate and inflation rate, as well as actual inflation rates for key commodities (e.g. food, fuel) and real exchange rates (where those differ from the official bank rates). Usually special measures are only considered when rapid devaluation of the local currency is in excess of 50 per cent, followed by local inflation of 50 per cent or more, within a one- or two-month period. The actual situation is often worse than shown in official statistics, so data collection is of vital importance to conveying accurately the decline in purchasing power.
3. Document the hardships experienced by staff and their families in relation to the currency devaluation and inflation, including negative impact on physical and mental well-being. Those stories will help staff representatives to communicate the immediate human impact and need for urgent action. Also note any tensions emerging between locally recruited and internationally recruited staff and how it affects the working environment.
4. Know what comparator employers at the duty station are doing to maintain purchasing power parity for their local staff. World Bank, U.S. and European embassies are often seen as authoritative and persuasive examples.
5. Request an urgent meeting with the UN Resident Coordinator or the senior official of the largest UN employer in the duty station. Discuss a staff/management action plan to raise concerns with the UN Secretariat/OHRM and request special measures.
6. Keep staff at the duty station informed of your actions. Consider a short daily meeting to share updates and maintain momentum until appropriate measures are put in place.
7. Encourage agency staff to contact their respective staff associations/unions, urging them to take up the issue of currency devaluation with their headquarters senior management and Director of Human Resources. Advocate that the agency implement special measures (e.g. non-pensionable compensation to offset currency devaluation and denominating salaries in US Dollars so to maintain purchasing power parity) and take up the issue with OHRM.
8. With the permission of the Resident Coordinator or senior official in the country, share copies of any official correspondence with FICSA so that the Executive Committee can follow up with the UN Secretariat/OHRM and emphasize staff concerns and urge action.

9. If the first response from OHRM is negative, do not give up. Reply and provide more information that shows how the situation is evolving and the negative impact it is having on purchasing power, staff well-being and the organizations in the duty station. Request OHRM to send a consultant urgently to the country to assess the situation.
10. Monitor the security implications of the economic crisis, particularly where property crimes are increasing and people at the duty station are withdrawing large amounts of cash and keeping it on their person or at their residence. Discuss with DSS officials and SMT members.

## Annex 6

### REPORT OF THE STANDING COMMITTEE ON GENERAL SERVICE QUESTIONS

Chair	Marielle Wynsford-Brown (IAEA)
Vice-Chair	Silvia Mariangeloni (FAO/WFP-UGSS)
Rapporteur	Alberto Fernández-Kleinloog (OPCW)
President, FICSA	Diab El-Tabari (UNRWA/ASA Lebanon)
Members, FICSA Executive Committee	Veronique Allain (SCBD)
	Peter Kakucska (UNFCCC)
	Pilar Vidal Estevez (PAHO/WHO Washington)
	Imed Zabaar (IAEA)
Regional Representative	Jason Sigurdson (UNAIDS Washington)
Vice-Chair, ICSC	Wolfgang Stöckl
Chief, ICSC Salaries and Allowances Division	Yuri Orlov

### Participants

FAO/WFP-UGSS	Svend Booth
	Peggy Brattlof
	Sonia Leuzzi
	Carlos Palmer
	Elena Rotondo
	Luca Vecchia
IAEA	Katja Haslinger
ICAO	Viera Seben
IFAD	Alessandra Pani
IMO	Victor MacKenney
	Edwin Titi-Lartey
ITU	Henri-Louis Dufour
	Christine Gimenez
	Carmen Montenegro
OSCE	Nizar Zaher
UNAIDS	Tanya Quinn-Maguire



UNESCO	Sandra Gallet Elia Matias
UNGSC	Ezio Capriola Vincenzo De Leo
UNWTO	Vanessa Satur
UNRWA/ASA	Daoud Korman
UPU	Stephane Vuillemin
WHO/AFRO Brazzaville	Violante Carlos Lopengo Lydie Gassackys Simbarashe Mazvidza (Harare) Jasper Pasipamire (Harare)
WHO/EMRO Cairo	Zaid Al-Nahi
WHO/EURO Copenhagen	Antonella Biasiotto Kay Miller
WHO/HQ Geneva	Marina Appiah Stella Tabengwa
WHO/GSC Kuala Lumpur	Carin Andersson Kiran Kaur Irwan Mohd Razali Renuka Muniandi Zaleha Shah Din
WHO/WPRO Manila	Grace Ablana
WHO/SEARO New Delhi	Ekkadu Rangarajan
WIPO	Najib Ben Helal Olivier Steele
<b>Members with associate status</b>	
CERN	Joel Lahaye

## **Federations with observer status**

AFSM-WHO/SEAR New Delhi

Ram L. Rai

FUNSA Guinea

Lucie Gnongo Beavogui

## **Introduction**

1. The Standing Committee met twice on 14 February 2017 under the chairmanship of Ms. Marielle Wynsford-Brown (IAEA).

## **Adoption of the agenda (Agenda item 1)**

2. The Standing Committee adopted the following agenda for its session:
  1. Adoption of agenda
  2. Election of the rapporteur
  3. Report of the Permanent Technical Committee (PTC/GSQ)
  4. Status of various appeals on the implementation of the results of salary surveys and the FAO appeal on the service differential
  5. Global recruitment of local staff for GS positions
  6. ICSC review of the compensation package for staff in the GS category and update on the progress of the ICSC working group tasked with that review
  7. Q & A with ICSC
  8. Other business
  9. Nomination of Standing Committee officers and core group members

## **Election of the rapporteur (Agenda item 2)**

3. Mr. Alberto Fernández-Kleinloog (OPCW) was appointed Rapporteur.

## **Report of the Permanent Technical Committee (PTC/GSQ) (Agenda item 3)**

4. Mr. Imed Zabaar (IAEA) presented the Report of the PTC on General Service Questions (Appendix 1). The Standing Committee accepted the Report.
5. The Standing Committee adopted the following recommendations of the PTC/GSQ.

**The PTC/GSQ recommended that the Standing Committee on General Service Questions request the FICSA Executive Committee to continue to invest in training a pool of trainers, while taking into account gender balance and geographical distribution.**

**Bearing in mind that salary survey methodology workshops might generate income, the PTC/GSQ recommended that the Standing Committee on General Service Questions request the Ad hoc Committee on Administrative and Budgetary Questions to allocate the amount of CHF 20,000 for the organization of specialized workshops on the salary survey methodology I and II, taking into account the need for capacity building.**

**Status of various appeals on the implementation of the results of salary surveys and the FAO appeal on the service differential (Agenda item 4)**

6. FAO/WFP-UGSS informed the Standing Committee that two appeals had been filed: one on the results of the salary survey in Rome and the other on the service differential in the same location. Both appeals had been dismissed by the ILO Administrative Tribunal (ILOAT).

7. FAO/WFP-UGSS informed the Standing Committee of the continuing discussions it was holding with its legal adviser on exploring a way forward following the outcome of the appeals.

**In view of the negative outcome of the appeal on the service differential in FAO, the Standing Committee recommended that the Executive Committee follow up with the FAO Administration, in liaison with FAO/WFP-UGSS, in order to find a mutually agreeable solution whereby the unsuccessful appellants be awarded financial compensation such as had been granted to other staff members who had not lodged an appeal.**

**Global recruitment of local staff for GS positions (Agenda item 5)**

8. FAO/WFP-UGSS provided a status update on their duty station. They informed the Standing Committee that the 'Global Calls for Expression of Interest' issued by the organization continued to be a problem, as staff members were being recruited from abroad, but appointed locally with no allowances or benefits provided.

9. Members of the Committee exchanged views on the implications that the practice might bear for the common system and the contradictions that it posed in terms of gaining access to the labour market in specific regions/countries. They also noted the potential liabilities that this practice could entail for staff in the various organizations.

**ICSC review of the compensation package for staff in the GS category and update on the progress of the ICSC working group tasked with that review (Agenda item 6)**

10. The FICSA President provided an update; he pointed out that four categories of staff would be reviewed during the upcoming spring session of the ICSC. He stressed that the responsibilities of National Professional Officers (NPOs) vis-à-vis GS and P staff would be one of the main topics of the review, others being the impact of the NPOs and their potential utilization at the regional level.

12. The FICSA President also highlighted potential change that might emerge from the review: a reduction in or slowing down of steps for GS staff and changes to the language allowance. Although nothing was on the table at present, he emphasized that the Federation had to remain alert.

11. The Standing Committee noted the need to have a proactive approach to addressing any changes in the compensation package. It should devise a set of strategies so as to pre-empt potential negative results of the review. Those strategies would lend a sense of direction and facilitate the development of potential scenarios, even before the ICSC draft documents became available.

12. Mr. Wolfgang Stoeckl, ICSC Vice-Chair, stated that the Commission would like to draw on the experience of the task force that had been established in Vienna to evaluate the review of the compensation package for the staff in the Professional and higher categories. A similar task force should be established in respect of the compensation review for staff in the GS category, together with a budget to cover the travel costs of members attending ICSC meeting or other relevant meetings.

13. The FICSA President concurred with the view of the ICSC Vice-Chair and the Standing Committee as a whole. He stressed that the Federation should use an approach similar to the approach it had adopted towards the review of the Professional compensation package. He requested the Committee to provide names for the task force.

**The Standing Committee recommended that the FICSA Executive Committee establish a special task force to participate in the comprehensive review of the compensation package for the General Service category, with clear terms of reference for its work and a budget of up to CHF 7,000 to cover the cost of attending relevant meetings.**

**The Committee further recommended that the task force address the following key topics: (a) the issues highlighted in the responses provided by the ICSC representatives during the question-and-answer session held by the Standing Committee on 14 February 2017; and (b) issues to be prioritized in accordance with the full schedule of meetings, once the latter was available.**

14. The following Standing Committee members put their names forward for participation in the task force:

Imed Zabaar (IAEA)  
 Marielle Wynsford-Brown (IAEA)  
 Elena Rotondo (FAO/WFP UGSS)  
 Silvia Mariangeloni (FAO/WFP-UGSS)  
 Alessandra Pani (IFAD)  
 Alberto Fernández-Kleinloog (OPCW)  
 Pilar Vidal Estevez (PAHO/WHO Washington)  
 Irwan Mohd Razali (WHO/GSC Kuala Lumpur).

**The Standing Committee recommended that the FICSA Executive Committee keep the membership informed on any developments related to the comprehensive review of the compensation package for the GS category.**

#### **Q & A with ICSC representatives (Agenda item 7)**

15. The Standing Committee agreed on a set of questions to put to the representatives of the ICSC. A draft summary of the discussion was drawn up for the Plenary session; however, it was agreed to annex a final version, following the confirmation of the ICSC, to the Council Report (see Appendix 7).

#### **Other business (Agenda item 8)**

16. The representative of FUNSA Guinea informed the Standing Committee of the negative impact that the deterioration in economic conditions following the Ebola crisis had had on staff. A background paper outlining suggested special measures was handed over together with a request that the Executive Committee follow-up and provide assistance.

**The Standing Committee recommended that the FICSA Executive Committee assist FUNSA Guinea in its advocacy efforts to secure the introduction of special measures to address the deteriorating economic situation in the wake of the Ebola crisis and offset their negative impact on staff.**

#### **Nomination of Standing Committee officers and core group members (Agenda item 9)**

17. The Standing Committee nominated Ms. Silvia Mariangeloni (FAO/WFP-UGSS) both as Chair and as Coordinator of the PTC/GSQ. Ms. Marielle Wynsford-Brown (IAEA) and Mr. Alberto Fernández-Kleinloog (OPCW) were nominated Vice-Chairs.

18. The core group would comprise all those who had attended the meetings of the Standing Committee.

## Appendix 1

### REPORT OF THE PERMANENT TECHNICAL COMMITTEE ON GENERAL SERVICE QUESTIONS

Chair	Imed Zabaar (IAEA)
Coordinator and Rapporteur	Marielle Wynsford-Brown (IAEA)
Members, FICSA Executive Committee	Véronique Allain (SCBD)
	Pilar Vidal Estevez (PAHO/WHO Washington)
	Imed Zabaar (IAEA)

#### Participants

FAO/WFP-UGSS	Svend Booth Peggy Brattlof Sonia Leuzzi Silvia Mariangeloni
IAEA	Katja Haslinger
IFAD	Alessandra Pani
ITU	Christine Gimenez Carmen Montenegro
UNESCO	Elia Matias
UNGSC	Ezio Capriola Cosimo Melpignano
WHO/EMRO Cairo	Zaid Al-Nahi
WHO/SEARO New Delhi	Ritesh Singh Ekkadu Rangarajan

#### Member with associate status

OPCW	Alberto Fernández-Kleinloog
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#### Federation with observer status

AFSM-WHO/SEAR New Delhi	Ram L. Rai
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## **Introduction**

1. Mr. Imed Zabaar (IAEA) chaired the meeting of the Permanent Technical Committee on GS Questions.

## **Adoption of the agenda**

2. The Permanent Technical Committee adopted the following agenda:
  1. Election of the rapporteur
  2. Results and lessons learnt from recent salary survey
  3. Schedule of GS salary surveys from 2016 to 2018 (Document FICSA/C/70/7, page 15, refers)
  4. Requests for FICSA workshops on GS salary survey methodology I and II
  5. Updated training material for Methodology I
  6. Evaluation of workshops held in 2016 and review of the list of trainers and resource persons, including assessment of training materials and exchange of experiences (See the background document containing the list of the training sessions conducted during 2016)
  7. Request by Amrita Mehrotra, retiree and former President of FUNSA India, to be trained as a FICSA resource person in GS salary survey methodology II
  8. Review of the list of PTC members
  9. Other business
  10. Nomination of Committee Coordinator

## **Election of the rapporteur (Agenda item 1)**

3. Ms. Marielle Wynsford-Brown (IAEA) was elected Rapporteur.

## **Results and lessons learnt from recent salary surveys (Agenda item 2)**

4. The Hague: OPCW reported that the International Criminal Tribunal for the former Yugoslavia (ICTY) was experiencing difficulties in finding comparators for the salary survey. As a result, the salary survey that had been scheduled for summer 2016 had been postponed three times. Outside data would most probably have to be purchased.
5. Washington DC: PAHO also reported difficulties in finding comparators and was concerned that there would be a move towards purchasing data. IAEA agreed to share the terms of reference that they had used to recruit a consultant for the initial stage of identifying comparators in the local job market, while emphasizing that for reasons of confidentiality the person could not be part of the local salary survey committee (LSSC), if s/he were not a staff

member. It was also emphasized that HR should not lead the process, but the entire LSSC should be involved in all stages of the survey. It was further advised that a relationship with comparators should be maintained once the salary survey was over with a view to requesting participation in future surveys.

6. IFAD and FAO: Reported that they had lost their appeals pertaining to the application of the negative result of the 2012 salary survey in Rome (ILOAT Judgement Nos. 3739 and 3740, respectively). The result of the salary survey was a negative 9.2 per cent and salaries had been frozen for six years with the implementation of a secondary salary scale. That secondary salary scale had not been appealed, as it had not been possible to identify a staff member on the lower scale who would be prepared to come forward. The Rome-based organizations would review the outcome of the appeal and decide on further action.

7. New York: Ongoing appeal against negative salary survey result.

### **Schedule of GS salary surveys from 2016 to 2018 (Agenda item 3)**

8. The schedule of GS salary surveys for Methodology I (Appendix 2) was reviewed; it was noted that Bonn, Vienna and Washington DC were at present in the midst of their salary surveys. The cycle was due to end in 2019, at which point the ICSC would review the methodology.

9. At the start of the meeting, the Methodology II schedule was not available beyond 2017. However, the United Nations later provided an updated list (Appendix 3).

### **Requests for FICSA workshops on GS salary survey methodology I and II (Agenda item 4)**

10. Methodology I: WHO/EURO to host the advanced methodology I workshop

11. Methodology II: FAPNUU Uruguay: English - deferred from 2016  
 French-speaking in African region: Abidjan or Yaoundé  
 Caribbean region: Haïti  
 Cairo: Had tentatively requested a workshop/technical support mission for an interim survey that was to take place in April following currency devaluation  
 Asia: In view of the salary surveys taking place in the region, it would be advisable to organize a salary survey workshop in Bangkok.

### **Updated training material Methodology I (Agenda item 5)**

9. Since the roll-out of the standardized training material, new slides had been created and incorporated. The updated English version would be provided to the FICSA Secretariat as a new master copy. Additional slides should also be incorporated in the French and Spanish versions.



**Evaluation of workshops held in 2016 and review of the list of trainers and resource persons, including assessment of training materials and exchange of experiences (Agenda item 6)**

10. According to the electronic feedback forms that had been collected throughout 2016, the response had been positive. It was noted that the participants in the Copenhagen workshop had not been sent the link to provide feedback, but participants present at the PTC meeting expressed their satisfaction and appreciated the five-day workshop as an opportunity to revert to questions after digesting the content of the training. Washington, D.C. also reported that the workshop had been of great value to the LSSC.
11. Appendix 4 provides an overview of the salary survey training and technical missions conducted during 2016.
12. The request by Ms. Amrita Mehrotra, retiree and former President of FUNSA India, to be considered as a FICSA resource person in GS salary survey methodology II was approved by the PTC/GSQ.
13. Ms. Vivian Huizenga (PAHO/WHO Washington) is being trained as a trainer. Her first training workshop had been positively reviewed by Mr. Mauro Pace.
14. Ms. Véronique Allain (SCBD) reminded the PTC/GSQ that she had shown interest in being trained as a trainer and would be available for English, French and Spanish workshops.
15. The PTC/GSQ was reminded that any FICSA member who was interested in becoming a resource person or trainer should follow the established procedures.
16. The list of trainers and resource persons was reviewed and updated (Appendix 5).

**Review of the list of PTC members (Agenda item 8)**

17. The list of PTC members (Appendix 6) was reviewed and updated; new members would be included and retirees removed as required by the terms of reference. It was noted that the PTC was losing its institutional memory through the retirement of colleagues. Consideration should thus be given to opening the PTC/GSQ to a wider membership so as to build up the requisite knowledge among the new members of FICSA. Heads of delegations should follow the procedure for putting names forward.

**Other business (Agenda item 9)**

**Request to pay retirees \$US 500 for technical missions**

18. The PTC/GSQ discussed the suggestion to pay retirees a flat fee of \$US 500 per technical mission. The request was unanimously rejected.

**Nomination of Standing Committee officers and core group members (Agenda item 10)**

19. As the PTC Coordinator was traditionally the Chair of the Standing Committee on General Service Questions, Ms. Silvia Mariangeloni (FAO/WFP-UGSS) was confirmed as Coordinator and Ms. Marielle Wynsford-Brown (IAEA) as Vice-Coordinator during the meeting of the Standing Committee.

## Appendix 2

### SCHEDULE FOR METHODOLOGY I SURVEYS

#### Proposed schedule for next round of surveys under Methodology I

Duty station	Previous survey	Pre-survey consultations	Pre-survey document to Chair or responsible agency	Survey date	Survey review
Rome	November 2005	Autumn 2011	Spring 2012	April 2012	Summer 2012
Paris	October 2004	Spring 2012	Autumn 2012	October 2012	Spring 2013
Montreal	April 2005	Autumn 2012	Spring 2013	April 2013	Summer 2013
Tokyo	June 2004	Autumn 2012	Spring 2013	July 2013	Summer 2013
Madrid	April 2004	Spring 2013	Autumn 2013	October 2013	Spring 2014
New York	November 2005	Spring 2014	Autumn 2014	November 2014	Spring 2015
London	November 2006	Autumn 2014	Spring 2015	May 2015	Summer 2015
Geneva	March 2007	Spring 2015	Autumn 2015	September 2015	Spring 2016
The Hague	October 2008	Autumn 2015	Spring 2016	April 2016	Summer 2016
Vienna	November 2007	Autumn 2016	Spring 2017	April 2017	Summer 2017
Bonn	October 2009	Spring 2016	Autumn 2016	October 2016	Spring 2017
Washington, D.C.	October 2010	Spring 2017	Autumn 2017	October 2017	Spring 2018
Brussels	May 2011	Autumn 2017	Spring 2018	May 2018	Summer 2018
Copenhagen	September 2010	Spring 2018	Autumn 2018	September 2018	Spring 2019

### Appendix 3

#### COMPREHENSIVE SURVEYS

#### METHODOLOGY II

2017

	Month	Region	Country
1	May	Asia and Pacific	Nepal
2	Jun	Africa	Cote d'Ivoire
3	Jul	Africa	Namibia
4	Jul	Africa	Cameroon
		Latin America and	
5	Jul	Caribbean	Haiti
6	Aug	Africa	South Sudan
7	Oct	Arab States	Tunisia
8	Oct	Asia and Pacific	Cambodia
9	Oct	Europe	Uzbekistan
10	Oct	North America	United States of America
11	Nov	Asia and Pacific	Pakistan
12	Dec	Arab States	Algeria

## Appendix 4

## WORKSHOPS AND TECHNICAL SUPPORT MISSIONS IN 2016

FICSA GS Training Courses/Workshops in 2016						
<u>Workshop</u>	<u>Venue</u>	<u>Dates</u>	<u>Facilitator</u>	<u>FICSA participants</u>	<u>FICSA Consultative/ Observers</u>	<u>Non FICSA participants</u>
GS Salary Survey Methodology II (Non-HQ)	Kuala Lumpur	11-15 Jan.	Samir Abdel Wahab / Varghese Joseph	12		10
GS Salary Survey Methodology I	Bonn	23-24 Feb.	Mauro Pace	16		8
Technical support mission to prepare LSSC	Cape Verde	14-18 March	Steven Ackumey-Affizie			
Technical support mission to prepare LSSC	Madagascar	11-15 April	Edmond Mobio			
Technical support mission to prepare LSSC	Haiti	2-13 May	Steven Ackumey-Affizie			
Technical support teleconference to prepare LSSC	Bangkok	17-Jun.	Samir Abdel Wahab			
Workshop on GS salary survey methodology I	Vienna	11-13 July	Imed Zabaar	9		7
Workshop on GS salary survey methodology I	Washington DC	12-16 Sept.	Mauro Pace	9		6
Workshop on GS salary survey methodology II	Brazzaville	3-7 Oct.	Edmond Mobio	15	6	4
Workshop on GS salary survey methodology II	Harare	7-11 Nov.	Jeanne d'Arc Matuje Mukamwiza / Steven Ackumey-Affizie	24	3	9
Workshop on GS salary survey methodology II	Manila	21-25 Nov.	Varghese Joseph / Irwan Mohd Razali	9		20
Workshop on GS salary survey methodology I	Copenhagen	21-25 Nov.	Imed Zabaar	8	6	2
				102	15	66

## Appendix 5

### LIST OF FICSA RESOURCE PERSONS ON GS SALARY SURVEY METHODOLOGY 2017

NAME	WORKING LANGUAGE	EMAIL	Location	Trainer
Samir Abdel Wahab (non-HQ)	English/Arab	awahabs@emro.who.int	Middle East	Advanced
Steven Ackumey-Affizie (non-HQ)	English	steven.ackumey@fao.org	Africa	Advanced
Jeanne d'Arc Matuje Mukamwiza (non-HQ)	English/French	dArc.MatujeMukamwiza@fao.org	Africa	Intermediate
Vincenzo De Leo (non-HQ) <sup>1</sup>	English	leov@un.org	Europe	Intermediate
Franco di Pancrazio (HQ and non-HQ)	English/French	frandip@libero.it	Europe	Advanced
Varghese Joseph (HQ and non-HQ)	English/French	vjosephvarghese@gmail.com	Europe	Advanced
Edmond Mobio (HQ and non-HQ)	English/French	mobioed@gmail.com	Europe	Advanced
Mauro Pace (HQ and non-HQ)	English/French/Spanish	mauro.pace@fao.org	Europe	Advanced
Imed Zabaar (HQ)	English/French/Arabic	i.zabaar@iaea.org	Europe	Intermediate

## Appendix 6

**PERMANENT TECHNICAL COMMITTEE OF GENERAL SERVICE AND RELATED CATEGORIES**  
**Membership 2017 – 2018**

ORGANIZATION	NAME	EMAIL ADDRESS
FAO/WFP UGSS Rome	Elena Rotondo Silvia Mariangeloni Sonia Leuzzi	Elena.rotondo@fao.org silvia.mariangeloni@wfp.org Sonia.leuzzi@wfp.org
IAEA Vienna	Katja Haslinger Marielle Wynsford-Brown Imed Zabaar	k.haslinger@iaea.org m.wynsford-brown@iaea.org i.zabaar@iaea.org
IMO London	Baharak Moradi	bmoradi@imo.org
ITU Geneva	Caroline Debroye Sylviane Asseraf	caroline.debroye@itu.int Sylviane.asseraf@itu.int
OPCW	Alberto Fernández-Kleinloog	alberto.fernandez@opcw.org
PAHO/WHO Washington	Vivian Huizenga	huizenvi@paho.org
SCBD	Véronique Allain	Veronique.allain@cbd.int
UNGSC	Cosimo Melpignano Ezio Capriola	melpignano@un.org capriola@un.org
WHO/EMRO Cairo	Samir Abdel Wahab	Awahabs@emro.who.int

## Appendix 7

### QUESTION-AND-ANSWER SESSION WITH ICSC REPRESENTATIVES

14 February 2017

- a. What triggered the review for GS category and what is the scope and objective of the review?**

ICSC informed the participants that the upcoming review had been triggered by the GA as a logical continuation of the Comprehensive Review of the Compensation Package for Professional staff. The objective of the exercise would be to modernize and simplify the compensation for the General Service categories.

- b. Is there more information on the review of the GS compensation package?**

In addition to adopting parts of the framework that were used for the review of the Professional staff (i.e. streamline, simplify, modernize), the use of the various categories of staff, the roles and functions and responsibilities of National Professional Officers, General Service, Field and Security Staff would be considered.

- c. It has been mentioned by the Commission the potential disappearance of GS grades at the lowest level, recognizing that at times there was an overlap among the highest grades (i.e. G-6/G-7) with the lower P levels (i.e. P-1/P-2) and the need for career progression. With this in mind, is the review envisaged to consider these issues and potentially institutionalize career progression from General Services to Professional one?**

The ICSC noted that the overlap was an issue with regard to the interaction among the different categories and career development. The ICSC working paper, which included all mentioned concerns, would be issued very shortly. The time to raise such issues would be before and during the upcoming session of the Commission in March 2017. The ICSC assured the Standing Committee that they would approach all proposals with an open mind. The intent was to include all categories in the review, including National Professional Officers.

- d. Is there a better title than GS? What is the ICSC definition of a locally recruited staff member?**

ICSC informed that the change of title is a point that could be raised by the Federation during the review, but they were not sure why this could be needed and whether it would translate into improvement of conditions for General Service staff.

- e. Is there a timeline for the review of the compensation package?**

A decision on the final timeline will need to be taken at a later stage. A working group will be formed during the 2017 Spring session of the ICSC to continue work on Phase II of the compensation review. The review of the compensation package will be done independent of the salary survey methodology review due to start in 2019. The review of the use of staff



categories will be followed by the review of the salary survey methodology.<sup>3</sup> However, the ICSC may start gathering feedback for the review of the methodology prior to the end of the current salary surveys cycle. The revised salary survey methodology would not be introduced until the completion of the present round of Methodology I surveys in 2019.

**f. Introduction of an end-of-service severance payment (i.e. situations where agencies close down their country offices).**

The attention of the Standing Committee was directed to UNGA Resolution No. 71/264 and the specific request therein to include the end-of-service severance payment in the common system, the UNGA did not approve but it did not completely shut it down. “Request the ICSC to undertake a comprehensive analysis (...) including an updated financial implications (...) and report on the 73<sup>rd</sup> [2019] session and as appropriate the implementation date.”

**g. NPOs being used either as GS staff performing admin work or as international Professional staff.**

Different categories were used in different situations in different locations and that was neither against the rules nor against the law. The ICSC recognized that at times there was an overlap and that would need to be discussed, if it were to be continued.

Those NPOs who had experience and who could no longer continue to serve in their home countries would become part of the international mobile workforce of the organization. In the view of the ICSC, the concept of an NPO was out-dated and should be totally reconsidered as far as responsibilities were concerned.

**h. Apply the classification to all organizations across the organizations**

ICSC was aware of the non-use of the master standards (created in 2010). They added they would administer a survey before any review of the master standards took place following the compensation package review.

**\*Subsequent: What could the ICSC do to ensure adherence to these classification standards?**

The organization should seek to apply these standards consistently.

**\*Subsequent: How is the flexibility of the different categories being envisaged and how is it going to be addressed in the upcoming review?**

There was no definite answer to the question; only to say that it was continuously being worked. It would, however, certainly be addressed in the upcoming review.

**\*How many classifiers are there? - What is the training? Any statistics?**

Hardly any expert classifiers were left in the ICSC Secretariat - nor within the UN system. Many requests were received from the organizations to provide the relevant training and the ICSC would like to increase the number of qualified classifiers. At the moment, organizations were considering a joint initiative that included sharing a classifier and hence the costs.

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<sup>3</sup> Following FICSA Council and the ICSC review of the Q&A record, the ICSC confirmed that the review of the compensation package would include the review of the salary survey methodology.

**\*Does the ICSC envisage establishing a working group already in the upcoming meeting, what will be the programme of work?**

ICSC envisaged establishing at least one working group on the issue that would work between the spring and summer sessions and the questions that had been submitted would provide a good basis for discussion.

**The future of the International Civil Servant – HLCM no longer refers to ‘staff’ but to ‘workforce’ – *That issue was not formally addressed.***

**Annex 7****REPORT OF THE STANDING COMMITTEE ON PROFESSIONAL SALARIES AND ALLOWANCES**

Chair	Christian Gerlier (ITU)
Rapporteur	Matthew Montavon (AP-in-FAO)
President, FICSA	Diab El-Tabari (UNRWA/ASA)
General Secretary, FICSA	Gemma Vestal (WHO/HQ Geneva)
Treasurer, FICSA	Gaston Jordan (ICAO)
Regional Representative	Bernadette Fogue (WHO/AFRO Brazzaville)
Information Officer, FICSA	Brett Fitzgerald
ICSC, Vice-Chair	Wolfgang Stoeckl
ICSC, Chief, Salaries and Allowances Division	Yuri Orlov

**Participants**

AP-in-FAO	Juan José Coy Girón Christopher Pardy
IAEA	Francis Campbell
ICAO	Elizabeth Gnehm Walter Parks
IFAD	Dave Nolan
ILO ITC	Jesus García Jiménez
IMO	Sarah Rabau-Dunlop Edmond Titi-Lartey
ITU	Henri-Louis Dufour Akim Falou-Dime
UNESCO	Andrea Leveque
UNFCCC	Santhosh Thanjavur Prakasam
UNGSC	Cosimo Melpignano
UNWTO	Maria Teresa Fernández
WHO/EURO Copenhagen	David Barrett
WHO/HQ Geneva	Evelyn Kortum
WHO/SEARO	Ritesh Singh

WHO/WPRO Manila	James Rarick
WIPO	Christopher Mason
WMO	Andrès Orias Bleichner

#### **Members with associate status**

CERN	Joel Lahaye
OPCW	Megan Lehmann

#### **Adoption of the agenda (Agenda item 1)**

1. The Standing Committee adopted the following agenda:
  1. Adoption of the agenda
  2. Election of the rapporteur
  3. Q & A with ICSC
  4. Report of the PTC/PSA (by Christopher Mason, WIPO)
  5. Review of the recommendations of the SC/PSA from the 69th FICSA Council (by Christian Gerlier, ITU)
  6. Proposal by the Fifth Committee on the 5-year margin
  7. Topical issues
    - (a) Acquired rights within the context of the compensation review
    - (b) Review of the compensation package: Feedback by orgs on the implemented phases of the package (see background document)
    - (c) Cost-of-living surveys at headquarters duty stations and Washington, D.C.
  8. Scale of pensionable remuneration (see ICSC/CIRC/GEN/3/2017 dated 1 February 2017)
  9. Training
  10. Other business
  11. Nomination of Standing Committee officers and core group members

#### **Election of the rapporteur (Agenda item 2)**

2. Mr. Matthew Montavon (AP-in-FAO) was elected Rapporteur.

#### **Questions & answers with ICSC (Agenda item 3)**

3. The Standing Committee held a question-and-answer session with the representatives of the ICSC, Mr. Wolfgang Stoeckl and Mr. Yuri Orlov. In regard to the place-to-place surveys, they reported that the results of survey would soon be published. They themselves were interested in seeing the results of the new methodology. But in terms of overall results, with one or two exceptions, they did not expect surprises, knowing the general conditions at duty stations. Mr. Stoeckl said Geneva could be overvalued with the multiplier staying the same, but the index declining.
4. Regarding the definition of a single parent, they confirmed that the previous definition, based on main and continuing support had not changed. In discussion, members expressed

concern that there would be inequities should organizations interpret the rules differently. The ICSC representatives stated that if there were a problem with the definition, it would have to be clarified through the administrative management fora, i.e. HRN, HLCM and CEB.

5. A question was raised on the admissible expenses and reimbursement for virtual schooling. Mr. Orlov replied that the admissible expenses were very complex and that the idea had been to simplify the calculations. The ICSC would have to see how the new system worked and report back on implementation to the UN General Assembly (UNGA) in five years' time, but could amend elements of the compensation package as implementation proceeded.

4. They noted, in terms of interpretation of the allowances, that the ICSC could offer guidance, but it was the responsibility of organizations to apply the rules. They responded that the HR Network generally addressed those issues; they were thus implemented uniformly.

5. As for the request that staff members had made to the UN Secretary-General regarding the transitional allowance for staff whose spouses were not recognized as dependents, the ICSC representatives informed the Standing Committee that the issue had been brought to their attention at a very late juncture. It had not gone to the Fifth Committee; however, it could be discussed at the upcoming ICSC session. They told the meeting participants that allowances might be reduced and could only be challenged, if it constituted a material change in the allowance. Messrs. Orlov and Stoeckl left the meeting at 9:45 a.m.

6. In concluding the item, the Chair emphasized the importance of collecting instances of concern over the implementation of the salary changes, with due consideration being given to deadlines for appeals. FICSA would focus on three test cases at an expected cost of \$US 30,000. That activity would be carried out in cooperation with CCISUA via a cost-sharing arrangement - and possibly with the support of the Office of Staff Legal Assistance (OSLA).

#### **Report of the PTC/PSA (Agenda item 4)**

7. The staff representative of WIPO summarized the discussions held in the PTC (Appendix).

#### **Review of the recommendations of the SC/PSA from the 69th FICSA Council (Agenda item 5)**

8. The Chair presented the recommendations adopted by the Standing Committee at the previous Council session and reported on their implementation.

#### **Proposal by the Fifth Committee of the 5-year margin (Agenda item 6)**

9. The FICSA President reported that, at the UN General Assembly, some Member States had wanted the margin to remain within the 5-year average; however, the suggestion had been rejected. Using the new guidance to maintain the margin between 113 and 117 had led to an adjustment of the multiplier, yielding a salary increase in a number of duty stations.

#### **Topical issues (Agenda item 7)**

##### *(a) Acquired rights within the context of the compensation review: Status*

10. The General Secretary, Ms. Gemma Vestal (WHO/HQ Geneva), gave a presentation on acquired rights. She stated that the objective of the current Council was to authorize the

Executive Committee to identify cases where acquired rights had been violated. Jointly with CCISUA, those cases would be brought forward to the administrative courts. Successful cases would establish a new standard that would have to be applied. Staff should bring any reductions in remuneration to the attention of the FICSA secretariat so that appeals could be considered. Cases would be vetted and good test cases would be selected for presentation to the Administrative Tribunal.

**The Committee recommended that the member associations/unions inform the staff members in their organizations of the need to draw attention in a timely manner to situations where they had suffered losses in respect of the changes implemented as a result of the Comprehensive Review so that they could be considered as possible test cases for appeals. FICSA would focus on three test cases at an expected cost of CHF 30,000, of which CHF 15,000 would be required of FICSA and CHF 15,000 of CCISUA.**

*(b) Review of the compensation package: Feedback by organizations on the implemented phases of the package*

11. The FICSA Information Officer, Mr Brett Fitzgerald, reported on the status of implementation of the ICSC changes to the compensation package in the various organizations. Attention was given to the cost of systemic changes to the implementation of the package. It was noted that for the first year or two, the implementation costs would wipe out any expected savings from the new package.

**The Committee recommended that the FICSA Executive Committee study the implementation of the compensation package and, on the basis of its findings, make recommendations to the ICSC pertaining to adjustments and the uniformity of implementation.**

*(c) Cost-of-living surveys at HQ duty stations and Washington, D.C.*

12. The Chair noted that the draft reports for the cost-of-living surveys would be released soon. The indication given by the ICSC representatives was that several duty stations would see an increase in the post adjustment index, while a few would remain unchanged. Coordination within the place-to-place survey committees seemed to be good in most duty stations, but the ICSC had had to be contacted to clarify the status and leadership of the survey committee in Geneva. Concern was expressed that the survey coordinator's reports were not shared with the staff associations/unions or members of the survey committees.

**The Committee recommended that the FICSA delegation to the upcoming ACPAQ voice concern over the lack of transparency in the cost-of-living survey process owing to the survey coordinator's report not being shared with the local survey committees or staff representatives.**

#### **Scale of pensionable remuneration (Agenda item 8)**

13. The FICSA Information Officer, Mr. Brett Fitzgerald, reported that pensionable remuneration (PR) had been increased as a result of the salary adjustment implemented for New York. The Committee noted that the PR would be frozen for some staff members owing to the conversion to the new salary scale. Adjustments had been made periodically based on changes to the salary scale, but the ICSC and the Pension Fund would conduct a complete review of the PR amounts in due course.

### **Training (Agenda item 9)**

14. The Chair invited members to consider training on the new compensation package or the post adjustment, which could be offered by the ICSC. One Committee member expressed concern over the insufficient attention given to the post adjustment system for field duty stations. The Chair noted that the ICSC had already scheduled workshops on the field methodology in Africa (Tanzania) and in Eastern Europe. ICSC had also offered to hold a workshop on the HQ methodology.

**The Committee recommended that the FICSA Executive Committee alert the membership to the planned workshops in the field, as well as explore with the ICSC the possibility of holding an HQ methodology training session on the post adjustment in either New York or Europe.**

### **Other business (Agenda item 10)**

15. No issues were raised under this item.

### **Nomination of Standing Committee officers and core group members (Agenda item 11)**

16. The Standing Committee nominated Ms. Andrea Leveque (UNESCO/STU) as Chair and Mr. Christian Gerlier (ITU) and Mr. Walter Parks (ICAO) as Vice-Chairs.

17. The following participants indicated their interest in being part of the core group:

Juan José Coy Girón (AP-in-FAO)  
 Matthew Montavon (AP-in-FAO)  
 Francis Campbell (IAEA)  
 Dave Nolan (IFAD)  
 Henri-Louis Dufour (ITU)  
 Akim Falou Dine (ITU)  
 Lisa Villard (IAEA)  
 Varghese Joseph (ITU)  
 Cosimo Melpignano (UNGSC)

## Appendix

### REPORT OF THE PERMANENT TECHNICAL COMMITTEE OF THE STANDING COMMITTEE ON PROFESSIONAL SALARIES AND ALLOWANCES

12 February 2017

Chair	Christian Gerlier (ITU)
Rapporteur	Christopher Mason (WIPO)
President, FICSA	Diab El-Tabari (UNRWA/ASA)
Treasurer, FICSA	Gaston Jordan (ICAO)
Information Officer, FICSA	Brett Fitzgerald
ICSC, Chief Cost-of-Living Division	Ibrahim-Sorie Yansaneh

#### Participants

AP-in-FAO	Juan José Coy Girón
ITU	Akim Falou Dine
IMO	Sarah Rabau-Dunlop Victor Mackenney

#### Member with associate status

OPCW	Megan Lehmann
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#### Adoption of agenda (Agenda item 1)

1. The provisional agenda FICSA/C/70/PSA/CRP.1/Rev.1 was adopted.

#### Election of the rapporteur (Agenda item 2)

2. Mr. Christopher Mason (WIPO) was elected Rapporteur.

#### ACPAQ: Report of the 2016 ACPAQ meeting in Paris and preparation for the 2017 ACPAQ meeting in New York (Agenda item 3)

3. Mr. Diab El-Tabari, FICSA President, stated that the ACPAQ session in February 2017 would be essentially a wrap-up meeting. He indicated that the methodology behind the post adjustment surveys had been revised and the staff questionnaires had since been completed. Referring to the 2016 post adjustment survey in Geneva, he mentioned that some confusion had arisen over the need to include, in the out-of-area expenditures section, rents paid by staff living in neighbouring France.

4. The Chair informed the meeting that, according to Federation's report on the previous ACPAQ session, it had been decided to delete the reference to postcodes in the staff



expenditures survey. However, the postcodes had been maintained in the final version of the questionnaire that had been sent out to staff in 2016.

5. Mr. Ibrahim-Sorie Yansaneh, Chief, ICSC Cost-of-Living Division, explained that the Commission had decided to maintain the reference to postcodes in the expenditure surveys for purely analytical reasons. He reminded the meeting that the indication of postcodes was optional. He stated that postcode information was used solely to determine the residential choices of staff who opted to live further away from certain duty stations in order to avoid high rents and benefit from better housing conditions. While the ICSC considered such data as being of questionable value, OECD would collect data on market rentals in outlying areas (relating solely to duty stations located in European Community countries - with the exception of Geneva). He was of the opinion that organizations across the common system should take note of such trends.

#### **Implementation of phases I and II of the compensation package (Agenda item 4)**

6. Mr. Brett Fitzgerald, FICSA Information Officer, explained the relevance of the background documents that he had placed on the FICSA website relating to the compensation package, highlighting in particular the *FICSA Presentation 14 December 2016 ICSC/CIRC/GEN/02/2016; PSA item 6\_comp review feedback from Orgs, FICSA/CIRC/1220; and Agenda item 4 - UN Global Briefing to all staff on 21 June 2016*.

7. The FICSA President, Mr. El-Tabari, reminded the meeting that changes to mainly field-based allowances had entered into effect on 1 July 2016.

8. Mr. El-Tabari said that it was too late to lodge an appeal against negative changes that had occurred during phase 1. However, he urged members to be extremely vigilant with regard to losses compounded by the new unified salary scale and the transitional allowance from the end of February 2017 onwards. He reminded staff members of the need to respect the 60-day appeal period.

9. Mr. Fitzgerald stated that in some organizations the appeal period was 90 days.

10. Mr. El-Tabari also drew attention to the education grant which had since been changed and was based on tuition fees only, thus resulting in new sets of winners and losers. He anticipated particular problems with respect to the treatment of capital assessment fees by the organizations.

11. He noted that the changes would begin to have an effect in March 2017 and drew the meeting's attention to the complex situation of specific duty stations, such as Trieste. He expressed the view that different organizations could come up with different interpretations as a result of the flexibilities in question. The meeting also discussed the new global sliding scale for the calculation of reimbursement of the cost of education. It seemed likely to have negative effects in countries such as the US and the UK, but not in Europe, as well as in duty stations such as Geneva as a result of payments for half-board having been discontinued.

12. The Chairman enquired into the total cost of implementing the new education grant system in terms of time and resources.

13. Mr. Fitzgerald informed the meeting that he had been led to believe that the savings would be substantial over the long term.

**Current round of cost-of-living surveys (participation rate, issues encountered, results, lessons learned) (Agenda item 5)**

14. Giving a brief overview of the situation regarding the current cost-of-living surveys, Mr. Yansaneh stated that 2016 was a baseline year. The previous round of surveys had occurred in 2010, while the review of the compensation package had taken place in 2015. Regarding the forthcoming ACPAQ meeting, he indicated that many aspects of the methodology had changed. He believed that the new system was better than the old system. Although the results were not final and the numbers were still being analyzed, documents relating to the post adjustment survey would be posted on the website on Monday, 13 February, for discussion at ACPAQ. The documents included reports on the surveys conducted at each duty station and a preliminary evaluation of the calculations. He emphasized the importance of document ICSC/ACPAQ/39/R.2, which explained the methodology, the manner in which it was applied and its constraints. Documents ICSC/ACPAQ/39/R.3 to R.11 related to specific countries, while document ICSC/ACPAQ/39/R.12 described modifications to the methodology for service in the field, wherein the raw data on housing in New York had been subjected to secondary processing in order to allow for a fairer comparison. He also provided information on the ICSC decision to switch the sourcing of price data in some duty stations to the European Comparison Programme (ECP). Although the basket for the cost-of-living survey included 65 per cent ECP data, the ICSC collected the remaining 35 per cent itself. In the 2016 surveys, the ICSC had done its utmost to include all stakeholders in the survey process and had engaged a considerable number of consultants, whose comments had been incorporated into the methodology. He highlighted 1 April 2017 as the earliest date by which it would be possible to ascertain the manner in which the results of the survey could be implemented. He noted *inter alia* that salaries in New York had recently increased by 1.78 per cent as a result of the margin - and not because of an increase in the cost of living. Finally, he encouraged FICSA to send its best technical experts to the ACPAQ meeting since the panel comprised experienced statisticians and the decisions taken at that meeting would have an impact on staff over the next five years.

**Any need for workshops? (Agenda item 6)**

15. Mr. Yansaneh said that the best approach would be for FICSA to contact the ICSC directly. He indicated that a one-day workshop on post adjustment was already planned for the end of February 2017 on the day before ACPAQ. He also drew attention to the ICSC regional workshops that were primarily reserved for staff members serving in the field and in regional duty stations. He mentioned that one such workshop would take place in Tanzania at the end of April/beginning of May 2017, and another would be organized later on in the year in Eastern Europe. He stressed that the ICSC budget could only absorb a limited number of workshops and added that regional workshops were self-funded by the organizations concerned. One workshop was held each year in Africa. Another regional workshop was organized elsewhere on a rotational basis. Maybe it would be possible to add an HQ-based workshop to the list. Traditionally, the workshop prior to ACPAQ was organized as part of the spring session of the ICSC work programme, but it could easily be included in its summer programme and switched to a date in May.

**Membership issues (Agenda item 7)**

16. No issues were raised.

**Other business (Agenda item 8)**

17. No issues were raised.

**Annex 8****REPORT OF THE STANDING COMMITTEE ON STAFF/MANAGEMENT RELATIONS**

Chair/Regional Representative	Bernadette Fogue Kongape (WHO/AFRO Brazzaville)
Vice-Chair	Viera Seben (ICAO)
Vice-Chair	Peter Kakucska (UNFCCC)
Rapporteur	Megan Lehmann (OPCW)
President, FICSA	Diab El-Tabari (UNRWA/ASA)
Treasurer, FICSA	Gaston Jordan (ICAO)
Members, FICSA Executive Committee	Véronique Allain (SCBD)
	Pilar Vilar Estevez (PAHO/WHO Washington)

**Participants**

AP-in-FAO	Roberto Bonafede Juan J. Coy Girón Matthew Montavon
FAO/WFP-UGSS	Margarita 'Peggy' Brattlof Sonia Leuzzi Silvia Mariangeloni Elena Rotondo
IAEA	Katja Haslinger Marielle Wynsford-Brown
ICAO	Walter Parks
IFAD	Dave Nolan Alessandra Pani
IMO	Victor Mackenney Sarah Rabau-Dunlop
ITU	Akim Falou-Dine
UNAIDS	Taavi Erkkola Tanya Quinn Maguire
UNFCCC	Santhosh Thanjavur Prakasam
UNGSC	Ezio Capriola
UPU	Stephane Vuillemin
WHO/AFRO Brazzaville	Violante Carlos Lopengo Lydie Fanny Gassackys

WHO/EMRO Cairo	Zaid Al-Nahi
WHO/EURO Copenhagen	David Barrett Antonella Biasiotto
WHO/GSC Kuala Lumpur	Kiran Kaur Zaleha Shah Din Renuka Muniandi Fansuri Sheikh Feruq
WHO/HQ Geneva	Marina Appiah Evelyn Kortum
WHO/SEARO New Delhi	Ritesh Singh
WHO/WPRO Manila	Grace Ablaña
WIPO	Najib Ben Helal Christopher Mason Olivier Steele
WMO	Andres Orias Bleichner

#### **Member with associate status**

CERN	Ghislain Roy
OPCW	Alberto Fernández-Kleinloog

#### **Member with consultative status**

EMBL	Thomas Juettemann
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#### **Federations with observer status**

AFSM-WHO/SEAR New Delhi	Ram L. Rai
FUNSA Guinea	Lucie Gnongo Beavogui

#### **Adoption of the agenda (Agenda item 1)**

1. The Standing Committee approved the following agenda:
  1. Adoption of the agenda
  2. Election of the rapporteur
  3. Report of the Chair on previous year's activities
  4. Cost-sharing for release of FICSA officers - for information only (by Brett Fitzgerald, FICSA)

5. Best practices on SMR based on JIU report (by Brett Fitzgerald, FICSA)
6. WHO experience with Recognition Agreement
7. Update on staff/management relations issues:
  - WIPO
  - FAO
  - UNESCO
  - UNFCCC
  - WMO
8. Proposal for agency rating
9. Requests for training
10. Other business
11. Nomination of Standing Committee officers and core group members

### **Election of rapporteur (Agenda item 2)**

2. Ms. Megan Lehmann (OPCW) was appointed Rapporteur.

### **Report of the Chair on previous year's activities (Agenda item 3)**

3. It was noted that the Chair, Ms. Bernadette Fogue Kongape (WHO/AFRO Brazzaville), had delegated the item to Ms. Viera Seben (ICAO). Ms. Seben briefed the Standing Committee on the latter's activities over the past year, beginning with the Committee's report from the 69<sup>th</sup> FICSA Council. She noted that the Committee had at that time discussed the current situation of staff/management relations (SMR) in WIPO, UPU, EPO and FAO specifically. Discussions had also been held on cost-sharing proposals.

4. It was further noted that following the 69<sup>th</sup> FICSA Council, emails had been sent out to all designated core group members in order to organize efforts and activities for the year ahead. However, only one full member had responded, and as a result, the Committee had found it difficult to carry out its work. Meanwhile, FICSA had followed up with the organizations that were facing difficulties in staff/management relations and the results of those efforts would be addressed during the Committee's present meeting.

5. It was further noted that one of the other issues on the Committee's agenda for the session would be requests for training. The Vice-Chair urged members of the core group not only to review their potential training needs ahead of that discussion, but also to participate more actively in the year ahead.

6. A delegate from AP-in-FAO stated that he had noticed a reference to FAO/WFP-UGSS in the Committee's review and asked for clarification, noting in particular that it should in fact be FAO. The Vice-Chair acknowledged the comment and noted that that particular fact had not been covered in the Committee's final report at the 69<sup>th</sup> FICSA Council.

### **Cost-sharing for release of FICSA officers - for information only (FICSA Information Officer) (Agenda item 4)**

7. The FICSA Information Officer, Mr. Brett Fitzgerald, briefed the Committee on the most recent discussions on the cost-sharing proposal. He noted that the HLCM Working Group (HLCM WG) had held a meeting on 18 January 2016 and the current chair of the HLCM had

agreed to cooperate in dealing with that particular matter. In essence, the purpose of the first meeting of the HLCM WG had been to designate officially the members of the HLCM WG.

8. The HLCM WG on cost-sharing met again on 8 February 2016 and held a more substantive discussion, addressing in particular the identification of alternative funding and a review of the functions and composition of the FICSA Secretariat, as well as the provision of services by FICSA.

9. It was then noted that FICSA had replied in a general manner to the questions posed by the HLCM WG so as not to take on obligations from the HLCM WG by default that would then have allowed the HLCM WG to have a say in the way in which FICSA conducted its own operations. It was agreed that the way in which FICSA operations were performed was and should remain the full prerogative of the Federation itself.

10. The Information Officer further noted that in subsequent discussions of the HLCM WG, FICSA had been requested to prepare a business case. He had been specifically asked to look into the background work that had been performed. He noted that the document in question, currently seven pages long, was nearly complete and ready for submission to the FICSA Executive Committee.

11. The individual who had been appointed Chair of the HLCM WG was no longer serving in that position. Therefore, before further progress could be made and before the above-mentioned document on the business case could be submitted for review, a new chair would have to be appointed.

12. The Committee expressed the hope that a new chair would be appointed prior to the Working Group's next meeting, scheduled for 30 and 31 March in Budapest so that the HLCM WG would have the opportunity to consider the business case and provide feedback thereon to the next HLCM session.

13. A delegate from the WHO/HQ Staff Association noted that her organization's administration was very eager to advance a cost-sharing proposal and had requested the Staff Association to find out how a cost-sharing formula could be achieved and implemented.

**The Committee recommended that: (a) FICSA strongly urge all member associations/unions to, as far as their informal and formal opportunities allowed, contact their respective governing bodies and HLCM representative, or their administration, to lobby for them in support of a cost-sharing initiative as soon as possible; (b) use as a supporting argument recommendation 8 of the JIU Report (ref. JIU/REP/2012/10) which read: 'The Legislative or Governing Bodies of the organizations under review should mandate their Executive Heads to prioritize the development of a burden-sharing formula and agreement with regard to financing all costs associated with the representational function of officials of staff federations that are recognized in the ICSC statutes and rules of procedures'; and (c) recall that the WHO/HQ Administration had expressed support in favour of implementing a cost-sharing formula.**

#### **WHO experience with the Recognition Agreement (Agenda item 6)**

14. A delegate from WHO/HQ briefed the Committee on the status of the Recognition Agreement between the WHO/HQ Staff Association and their administration (known as Memorandum of Understanding). She noted that it was based on the FICSA Recognition

Agreement (“Agreement”). At the outset, the document had been quite large, addressing in general the responsibilities of the staff association and the responsibilities of senior management. That was followed by approximately three months of negotiations with management and many cuts were made to the original text. Ultimately, an agreement was reached with which both parties were satisfied.

15. The delegate noted that one of the most important points in that Agreement was the release time for staff representatives, with up to 100 per cent release for the President of the Staff Association, with funds being reimbursed to the unit that needed to cover the duties normally performed by the staff member serving as president. It was noted that not every staff representative would request 100 per cent release, but that there was a range of requests from 20 – 80 per cent and in fact a certain degree of flexibility prevailed in that regard.

16. The delegate further noted that the Executive Committee members were permitted to take 20 per cent release time (equivalent to one business day). The Director-General would send a memo to the appropriate supervisor requesting the release. The memo needed to be agreed upon and signed by the supervisor.

17. Another aspect of the Agreement was the provision of travel costs for all staff councils in the WHO agencies, enabling them to attend the annual Global Staff Management Council, as well as the Global Executive Office of all Presidents and Vice-Presidents. A limited amount of those costs was covered under the Agreement.

18. It was noted that an allowance for travel of two staff members to the Global Executive Office had been supported by the ADG/General Management so as to stimulate the organization as a whole to work towards harmonization of processes and implementation of policies and improve the exchange of information among duty stations.

19. The delegate presenting the item noted that many other offices realized they did not have a similar kind of agreement in place; thereafter the Staff Association issued a statement to their Executive Board requesting support for the institution of a similar agreement or MoU in all regions. It was noted that the endeavour had further improved staff/management relations in terms of direct interactions, consultations in the approval process and was conducive to achieving consensus.

20. In response to questions from the floor, the delegate further noted that a separate policy on a harmonized selection process provided for the regular participation of staff representatives in the recruitment and selection process for long-term positions, whereby all WHO staff representatives were kept fully informed of, and involved in, the recruitment process from the long list, through the initial short-listing to the final short-listing. They could submit enquiries as to the finalization of the selection process. It was noted that the system was in place for both GS- and P-level post selections and that staff representatives at every level could attend any selection.

21. Further to the point above, it was noted that there was a pool of staff representatives who could submit a request to sit as observers during the selection process for any post with the purpose of practical training. The individuals in that pool were provided with theoretical training by the selection coordinators in order to ensure that they had a full understanding of the recruitment methodology prior to being included in the pool of selection observers.



22. A delegate from UNAIDS commented that his organization followed a similar system that included the currently voluntary mobility processes. The process was conducted virtually, but all parties involved had full access to all of the relevant documents, whereafter the Global Mobility Committee met. He noted in particular that the two-tier system made it possible to adjust the process and make changes when and if any potentially problematic issues had been identified.

23. After some brief questions and answers from the floor, the delegate from the WHO/HQ Staff Association agreed to share with the FICSA Secretariat, both electronically and upon request, the Memorandum of Understanding currently in place in the organization.

#### **Update on staff/management relation issues (Agenda item 7)**

24. Updates were given by the following delegations: WIPO, FAO, UNESCO, UNFCCC and WMO. The delegate from FAO began her presentation by noting that the organization had had a Recognition Agreement in place for the past 40 years. However, problems related to the application of the Agreement had emerged recently. The Agreement was still standing formally; however, in substance it was not adhered to by management. The delegate also pointed out that the issues affected both AP-in-FAO and FAO/WFP-UGSS. The point was also made that in the Recognition Agreement FAO/WFP-UGSS was in fact a union with prescribed rights to negotiate and take industrial action.

25. The delegate noted that one of the key issues at present was a proposal that the union had recently received on excluding staff councils from the Joint Advisory Committee on Medical Coverage: a move that directly defied the spirit of the Agreement.

26. The delegate further noted that in the current environment, attempts to consult, be consulted and provide input in anything involving a decision-making process were perceived by management as attempts at co-management, despite the fact that that was not the staff representatives' intent.

27. More than one of the delegates on the floor emphasized the fact that FAO staff associations/unions were entering dangerous territory when management said that staff was not part of the decision-making process. It was critically important to help management understand that staff associations were not there to usurp the former's role or issue directives, but rather to provide input so that management could then make an informed decision, which was to the benefit of all involved.

28. The WIPO delegate presented an overview of the SMR situation within his organization over the past year, which had been fraught with quite a lot of issues (see Appendix 1).

29. The WIPO delegate noted that the CERN Staff Association was preparing a resolution to support the WIPO Staff Association.

**The Committee recommended that: (a) the CERN Staff Association submit its resolution that related in part to the situation at WIPO; and (b) the FICSA Executive Committee present the resolution prepared by CERN to the United Nations Secretariat and the Member States.**

30. The UNFCCC delegate briefed the Standing Committee on staff/management relations within the UNFCCC over the past year. The UNFCCC had undergone a second restructuring,

resulting in over 15 staff being affected. Currently, a review of overhead funded posts, primarily in administrative services, was ongoing with the aim of streamlining things. Regular meetings had been held between management and the staff association on the topic. The threat of Member States pulling out of the climate change process was also of concern to the Secretariat as the financial contributions from certain Member States to the UNFCCC were quite substantial. The ultimate manner in which it would translate on the ground was, at present, mere speculation.

31. The WMO delegate informed the Committee that the consultation process at WMO was respected; nevertheless, the administration officers did not consider themselves under any obligation to follow the requests made by staff representatives during decision-making processes.

32. A delegate from UNAIDS requested the floor to update the Committee on staff/management relations in that organization. The delegate noted that in 2016 UNAIDS had been under threat of having to cut 25 per cent of staff (200 staff). Over the following six months, the staff representatives worked closely with management in order to mitigate losses via reassignment and reclassification. He noted that 78 staff members had taken voluntary separation or early retirement, while another 146 individuals joined a compendium exercise in which they were able to compete for different posts, primarily in the field. Of those, 132 received offers, leaving approximately ten people who were either still being considered or were still in the reassignment process.

33. The UNAIDS delegate also noted that his Staff Association would be conducting a survey in the near future to evaluate staff perceptions of this process.

34. The UNAIDS delegate further noted that despite the challenges, in general the Staff Association was pleased with the level of engagement with management, felt that it had some influence on management decisions, and was satisfied that management had in fact taken due consideration of the staff perspective and input.

35. The UNESCO delegate then took the floor and briefed the Committee on the SMR situation since 2014 when regional exercises had been conducted. He noted that UNESCO had been through an experience similar to the one of UNAIDS with substantial staff cuts across the board which, thanks to efforts by the UNESCO/STU and active assistance from FICSA, had been minimized.

36. The UNESCO delegate concluded by stating that despite the positive results that had been achieved in mitigating negative consequences for staff, the STU had ultimately decided to suspend dialogue with management for the time being.

#### **Best practices on SMR based on JIU report (by FICSA Information Officer) (Agenda item 5)**

37. The FICSA Information Officer opened his presentation with an overview of the JIU Report (ref. JIU/REP/2010/10), which set out criteria for staff relations within organizations, including among other things the ability to communicate freely with all staff, release time, office space and equipment. The JIU Report had also stated that staff representatives were to be accorded special protection, in addition to sufficient training.

The Committee strongly urged all FICSA members to: (a) familiarize themselves with the JIU Report, JIU/REP/2010/10, available at the following link: [https://www.unjiu.org/en/reports-notes/CEB%20and%20organisation%20documents/Complementary%20Paper\\_JIU\\_REP\\_2012\\_10.pdf](https://www.unjiu.org/en/reports-notes/CEB%20and%20organisation%20documents/Complementary%20Paper_JIU_REP_2012_10.pdf); and (b) notify FICSA at the earliest possible juncture of any indication of potential deterioration in staff/management relations, including administrative actions labelled as 'transition,' 'review,' 'reform' or 'restructuring,' as well as other related terms that might potentially bear negative implications for staff.

#### **Proposal for agency rating (Agenda item 8)**

38. The FAO delegate provided the Committee with an overview of the proposed rating system for international organizations. He pointed out that there were rating systems for countries, education systems, legislatures and members of parliament, and that it would make just as much sense to introduce a rating system for staff conditions at international organizations.

39. The delegate further elaborated on the proposed criteria that could be used by elected staff representatives to evaluate their respective organizations. He suggested that after the initial round of fine-tuning the survey process, the actual rating process should then be contracted out in order to ensure maximum objectivity, independence and accountability.

40. The rating system would serve not only as a tool to identify areas for improvement in organizations, but it could also be used as a positive incentive for organizations to achieve and maintain best practices in staff/management relations and staff conditions.

41. The delegate presented two documents: (1) a scoring sheet for organizations (Appendix 2); and (2) a scoring guide for organizations (Appendix 3).

**The Committee recommended that: (a) FICSA recognize the work of the Standing Committee's working group on establishing a rating system for international organizations based on a survey of FICSA membership to be completed by elected staff representatives; (b) the FICSA Executive Committee greatly encourage FICSA membership to participate in the survey process; and (c) funding for the survey activities be provided.**

42. The initial report of the SMR Working Group on establishing a rating system for international organizations is to be found in Appendix 4.

#### **Requests for training (Agenda item 9)**

43. The ITU Staff Union requested the following training courses to be held in Geneva in 2017:

- Understanding the role of a staff representative
- Capacity building for staff representatives - a tailored approach
- Negotiating skills
- Negotiating in performance appraisals
- Introduction to workplace mediation
- Public speaking
- Working under pressure: emotional intelligence in the work place

44. The delegate from IMO voiced interest in hosting the following training courses in London in 2017:

- Basic staff representation
- Representation in grievance cases
- Bullying & harassment
- Working under pressure: emotional intelligence in the workplace

45. The delegate from IMO also expressed interest in the following training courses in 2017:

- Legal appeal processes
- Workplace health & safety
- Leading on occupational health & safety
- Job classification

46. The delegate from OPCW expressed interest in hosting SMR training in The Hague and also requested training for staff representatives.

47. The representative from FUNSA Guinea requested training in French and English on the subjects of harassment and pensions to be held in Equatorial Guinea in April 2017.

48. The delegate from WHO/AFRO also requested training in negotiation skills.

49. The representative from WHO/HQ requested that two days of training in SMR be hosted in Geneva.

50. The representative from UNFCCC also requested two days of training to be held in Bonn in 2017.

#### **Other business (Agenda item 10)**

51. No other business was raised.

#### **Nomination of Standing Committee officers and core group members (Agenda item 11)**

52. The Standing Committee nominated Mr. Peter Kakucska (UNFCCC) as Chair and Ms. Viera Seben (ICAO) and Ms Megan Lehmann (OPCW) as Vice-Chairs.<sup>4</sup>

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<sup>4</sup> Due to his election as Member of the FICSA Executive Committee, Mr. Kakucska, decided to step down as Chair of the Standing Committee. As such and in consultation with the Vice-Chairs, it was agreed that Ms. Viera Seben take over as Chair and Ms. Megan Lehmann remain as the Vice-Chair.

53. The following were nominated as core group members:

Marina Appiah (WHO/HQ Geneva)  
Francis Campbell (IAEA)  
Ezio Capriola (UNGSC)  
Violante Carlos Lopengo (WHO/AFRO Brazzaville)  
Alberto Fernández-Kleinloog (OPCW)  
Najib Ben Helal (WIPO)  
Lydie Gassackys (WHO/AFRO Brazzaville)  
Olivier Steele (WIPO)  
Fansuri Sheikh Feruq (WHO/GSC Kuala Lumpur)  
Stephane Vuillemin (UPU)

## Appendix 1

### PRESENTATION BY THE WIPO REPRESENTATIVE

I would like to begin by talking about the general atmosphere among staff at WIPO.

1. Staff members are afraid of speaking out. They are intimidated and threatened and are afraid of losing their jobs.
2. Many staff members are suffering from depression.
3. Staff members are being suspended, investigated by IOD, and institutionally harassed – particularly via the performance evaluation system.
4. The best analogy that I can use is one of the ostrich hiding its head in the sand. Staff members want to keep their heads down and hope that WIPO Administration will somehow forget them and leave them alone if they do nothing.

### Chronology of events

1. WIPO DG Francis Gurry fired WIPO Staff Association President, Moncef Kateb, in September 2014.
2. Two years later in the summer of 2016, Mr. Kateb won his appeal against dismissal at the WIPO Appeal Board which is an internal body that ordered the WIPO DG to pay him 3 years' salary, including pension contributions and damages, but it did not go as far as recommending that he be reinstated.
3. The WIPO DG refused to accept the findings of the Appeal Board, which meant that Mr. Kateb had to file a complaint with ILOAT. He now faces another 3 years of uncertainty before obtaining justice at ILOAT if at all. Five years is a long time to wait.
4. If we go back to 3 November 2014, 2 months after Mr. Kateb's sacking, WIPO DG Francis Gurry suddenly published a "new" interpretation of WIPO Staff Rule 8.1 which stated that the "interests of the staff shall be represented by a staff council established by the staff". For him, by the staff means "all staff". So why doesn't the original text say that? The Staff Council of the WIPO Staff Association has represented and defended staff interests since 1958. To vote or stand for elections you must be a member. Not content with firing the President of the WIPO Staff Council, WIPO DG Francis Gurry decided to replace the entire staff council with a management-friendly council of his own choice. Since then the WIPO DG and his administration have provided support and guidance to his small bunch of supporters and WIPO Administration is now organizing their own illegal elections for March 2017. The WIPO Staff Council filed a legal complaint with the WIPO Appeal Board in August 2016 and intends to take the matter to ILOAT if necessary. In the summer of 2016, an electronic petition which was circulated via the LabourStart website condemning WIPO DG Francis Gurry for attempted union-busting obtained over 5,500 signatures.
5. You might also recall that the US Congress organized a hearing on accountability at WIPO in February 2016, called the WIPO DG a "rotten apple" and demanded his dismissal for sending

illegal shipment of sensitive computer equipment to Iran and North Korea in exchange for votes.

6. At the same time OIOS finished its report on alleged wrongdoing by Francis Gurry (accusations relating to the illegal extraction of staff DNA, abuse of authority and procurement irregularities).

- i. The treatment of the OIOS report was criticized by a group of WIPO Member States as “flawed”.
- ii. In open violation of WIPO’s own Investigation Procedures Manual, WIPO DG Francis Gurry received an unredacted copy of the testimonies against him from the Chairs of the GA and WIPO Coordination Committee, which violated the confidentiality of whistle-blowers and witnesses, and exposed them to acts of retaliation.
- iii. WIPO IOD, which reports to the WIPO DG, refused to provide Member States with a copy of the report against him. When they were finally forced to do so, the document was so heavily redacted that it made little sense.
- iv. To cut a long story short, the Swiss Authorities refused to reveal who had stolen personal effects of staff and transmitted them to local authorities for DNA analysis, so there was inconclusive evidence against the WIPO DG who allegedly had ordered the theft, and Member States turned a blind eye to the WIPO DG’s proven improper influence of a procurement process which awarded a contract to an Australian friend/acquaintance whose company’s offer was 100,000 US dollars more expensive than that of the company which had originally won the bid.
- v. The whole affair was basically a cover-up giving the impression that Member States had been bought off by the WIPO DG.

7. On 25 January 2017, representatives from the Geneva group of staff associations/unions protested on the Place des Nations in Geneva and called for Gurry’s resignation. Most WIPO staff members were too scared to attend. Moves are now underway for FICSA to discuss Gurry’s misdemeanours with the new UN Secretary General António Guterres so that he can take action. It is most probable that Gurry’s misdemeanours will be re-discussed at the US Republican controlled Congress and Senate in the coming months.

8. On 8 February 2017, basically one month before WIPO Administration’s bogus elections, Cornelia Moussa, the Director of Human Resources at WIPO, and Gurry’s very willing helper in all of this, informed the WIPO Staff Council that WIPO Administration would be suspending its annual contribution to the WIPO Staff Association (37,000 Swiss francs) because there were “legal issues involved on which she was seeking advice”. We believe that this is retaliatory action for the Staff Council’s decision to stand for Gurry’s bogus elections without prejudice and with full reservation of our rights. By the way, WIPO announced a profit of 60 million Swiss francs for the last biennium.

9. If you look at the whole process, the WIPO DG:

- i) Sacks the President of the Staff Council; and then
- ii) Decides to create a new Staff Council two months later. He is trying to destroy us politically and now financially.

10. Our colleagues in CERN very kindly prepared a draft resolution for the FICSA demo in support of WIPO staff last month in Geneva and they intend to present this to the Standing Committee on Legal Questions.

11. We would like the SC/SMR to recommend that FICSA EXCOM take up our case with the UN SG and Member States, i.e. DG should reinstate Mr. Kateb and other WIPO whistle-blowers such as Ms. Brown, who were forced to leave WIPO against their will, and stop interfering in staff representation matters i.e. cancel his bogus elections.

To sum up: whistle-blowers are being retaliated against at WIPO, the Director General is acting illegally to destroy the WIPO Staff Council and the WIPO Staff Association and to replace them with a staff representation body of his own liking, and he is being allowed by Member States and the UN common system to act without impunity.



## Appendix 2

### SCORING SHEET RATING OF UN ORGANIZATIONS AND AGENCIES BASED ON THE QUALITY OF RELATIONS WITH STAFF AND STAFF REPRESENTATION BODIES

UN organization \_\_\_\_\_

Criteria – For scoring use the accompanying guide	Scoring
<b>1. Support for staff representation bodies:</b>	<u>Category Total (max 24):</u> _____
a. Staff representative bodies are supported with logistical resources (offices, equipment, access to organizational services, access to conference rooms, etc.) to facilitate their work.	<u>Maximum score of 4:</u> _____
b. Staff representative bodies are given prominent and unrestricted access to the communication and broadcast facilities of the organization (intranet sites, email, etc.) without censorship or reprisal.	<u>Maximum score of 4:</u> _____
c. Staff representative leaders are freely selected by their membership.	<u>Maximum score of 4:</u> _____
d. Organization provides adequate release time for staff representatives to conduct their business (standard is considered that provided in the UN A/C.5.50/64).	<u>Maximum score of 4:</u> _____
e. Organization places no restriction on staff holding office in the staff federation and provides release time and support to staff participation in those activities, including where appropriate participating in a burden sharing formula for that support.	<u>Maximum score of 4:</u> _____
f. Organization supports a burden sharing formula for staff participation in staff federation activities.	<u>Maximum score of 4:</u> _____
<b>2. Support for staff development:</b>	<u>Category Total (max. 12):</u> _____
a. Organization offers a wide variety of training for staff professional development, including sabbaticals and external training.	<u>Maximum score of 4:</u> _____
b. Staff have the opportunity for professional growth and grade advancement within post based on expanded responsibilities.	<u>Maximum score of 4:</u> _____
c. Selection procedures for posts are fair and transparent.	<u>Maximum score of 4:</u> _____

<b>3. Quality of staff consultation:</b>	<b>Category Total (max. 44):</b> _____
a. Staff representative bodies are automatically and consistently consulted on administrative questions related to staff welfare and benefits and regular meetings are held.	<b>Maximum score of 4:</b> _____
b. The management interlocutor with staff representative bodies is at the highest level on issues impacting staff welfare and their conditions of service.	<b>Maximum score of 4:</b> _____
c. Staff Management relations, including duties and obligations of both parties, are formally established.	<b>Maximum score of 4:</b> _____
d. Staff representatives have opportunities for informal dialogue with agency senior officials, including the agency head.	<b>Maximum score of 4:</b> _____
e. Staff views on staff related matters are given serious consideration in the organization decision making process.	<b>Maximum score of 4:</b> _____
f. Organization has joint advisory or consultative committees with staff representative participation.	<b>Maximum score of 4:</b> _____
g. Staff are involved in the selection of the ethics officer, HR liaison officer to staff representative bodies, and/or ombudsperson.	<b>Maximum score of 4:</b> _____
h. Staff representation bodies are given the opportunity to freely address governing body meetings.	<b>Maximum score of 4:</b> _____
i. Staff representatives, in addition to addressing the governing body, have the opportunity to engage with member nations.	<b>Maximum score of 4:</b> _____
j. Impartial externally conducted surveys are regularly conducted every two to four years to gauge staff concerns and priorities.	<b>Maximum score of 4:</b> _____
k. Training in staff management relations is provided to staff representatives and management representatives.	<b>Maximum score of 4:</b> _____
<b>4. Staff rules are fair, clear and not arbitrary:</b>	<b>Category Total (max. 16):</b> _____
a. Number of cases brought before the administrative tribunals (fewer cases = higher score).	<b>Maximum score of 4:</b> _____
b. Number of judgements decided against or in favour of the organization in the administrative tribunals (fewer cases = higher score).	<b>Maximum score of 4:</b> _____
c. Lack of abusive actions against staff representatives (slander, arbitrary dismissal or reassignment, firings).	<b>Maximum score of 4:</b> _____
d. Lack of abusive actions against staff in general (slander,	<b>Maximum score of 4:</b> _____

arbitrary dismissal or reassignment, firings).	_____
<b>5. Climate of openness and lack of discrimination:</b>	<u>Category Total (max. 12):</u> _____
a. Policies and programmes in place to prevent discrimination of any type.	<u>Maximum score of 4:</u> _____
b. Policies which show respect for sexual orientation.	<u>Maximum score of 4:</u> _____
c. Policies in place to support gender equality (Ratio of M/F is 50/50 in the organization, and M/F ratio is 50/50 in senior level positions.	<u>Maximum score of 4:</u> _____
<b>6. Organization shows a commitment and respects the value of work by maintaining a high proportion of regular staff, and not relying excessively on consultants and persons with limited contract periods and benefits.</b>	<u>Category Total (max. 4):</u> _____
<b>GRAND TOTAL</b> (based on maximum potential score of 112)	

## Appendix 3

## SCORING GUIDE

Criteria	Criteria
<b>1. Support for staff representation bodies:</b>	
a. Staff representative bodies are supported with logistical resources (offices, equipment, access to organizational services, access to conference rooms, etc.) to facilitate their work.	Permanent prominently placed offices with adequate furniture, computer equipment and meeting space would earn a top score. No facilities for office space and equipment would solicit a zero score.
b. Staff representative bodies are given prominent and unrestricted access to the communication and broadcast facilities of the organization (intranet sites, email, etc.) without censorship or reprisal.	Unrestricted and uncensored access to the organizational intranet and email system would earn a top score. No access would earn a zero score.
c. Staff representative leaders are freely selected by their membership.	Top score for no management involvement in identifying and selecting staff representative leaders. No score for any interference.
d. Organization provides adequate release time for staff representatives to conduct their business (standard is considered that provided in the UN A/C.5.50/64).	Top officer of staff association receives 60% release for associations representing less than 1000 staff or 100% release if representing over 1000 staff. Deputy senior officer receives 30% release for associations representing less than 1000 staff or 60% release if representing over 1000 staff. ExCom members receive 16 hrs/month for associations representing less than 1000 staff or 32 hrs./month release if representing over 1000 staff. Meeting this standard would merit highest score. No release time would justify a zero score.
e. Organization places no restriction on staff holding office in the staff federation and provides release time and support to staff participation in those activities, including where appropriate participating in a burden sharing formula for that support.	Top score is based on staff freely taking up positions with the staff federations and are given compensation to do so, as well as the organization supporting a cost sharing formula. Staff occasionally given release would be scored lower. Staff being regularly blocked from representation activities would solicit a zero score.
f. Organization supports a burden sharing formula for staff participation in staff federation activities.	Top score for burden sharing formula. No score if not participating in burden sharing formula.
<b>2. Support for staff development:</b>	
a. Organization offers a wide variety of training for staff professional development, including sabbaticals and external training.	Comprehensive and widely used training opportunities would merit a top score. Very limited or non-existent training opportunities would justify a zero score.
b. Staff have the opportunity for professional growth and grade advancement within post based on expanded responsibilities.	The evidence of priority opportunities and/or job growth promotion on post given to existing staff would merit a top score. Clear

	discrimination against existing staff for job promotion or complete lack of opportunities for job growth promotion on post would justify a zero score.
c. Selection procedures for posts are fair and transparent.	Selections are not made arbitrarily by the executive head, selection procedures are well articulated and followed, rules are consistent and rational, and peer review boards with participation of staff representative are used to ensure selection impartiality.
<b>3. Quality of staff consultation:</b>	
a. Staff Representative bodies are automatically and consistently consulted on administrative questions related to staff welfare and benefits and regular meetings are held.	Evidence of consistent and regular consultations on administrative questions affecting staff, including sharing of draft management directives and administrative circulars and participation in staff management committees on health and other benefits, would merit a top score. Frequent and complete disregard or respect for staff participation and views would justify a zero score.
b. The management interlocutor with staff representative bodies is at the highest level on issues impacting staff welfare and their conditions of service.	The principle interlocutor with staff is at the Deputy Director-General or Assistant Director-General level and staff have both formal and informal contact with them, and staff representatives have occasional access to the executive head would merit a top score. Principle interlocutors of below director level or lack of access to the executive head would justify a zero score.
c. Staff Management relations, including duties and obligations of both parties, are formally established.	Recognition of staff management relations is comprehensively and formally spelled out in the staff rules and/or a recognition or cooperation agreement, or otherwise legal documents.
d. Staff representatives have opportunities for informal dialogue with agency senior officials, including the agency head.	Top score for good record of casual (at least monthly) meetings (coffee, cocktail encounters, stop by the office, etc.) of staff representatives with senior officials of the agency. While staff representative initiative to establish the encounter is important, management initiative is also important in setting this score.
e. Staff views on staff related matters are given serious consideration in the organization decision making process.	Top score would be given when staff representative's comments are given serious consideration as evidenced by a robust exchange of views and in the event of rejection of those staff views, a well-articulated and reasonable explanation. Ignoring or discarding staff representation views justify a zero score.
f. Organization has joint advisory or consultative committees with staff	Record of various committees with staff/management engagement. Higher score

representative participation.	for evidence of encouraged cooperation, but low score for evidence of reducing that dialogue (infrequent meetings even though bodies exist; reduction in staff/management committees)
g. Staff are involved in the selection of the ethics officer, HR liaison officer to staff representative bodies, and/or ombudsperson.	Staff must have trust in the offices and officers who should have neutral roles in supporting the engagement between staff and management. This trust could be built with the participation of staff representatives in the selection of these offices.
h. Staff representation bodies are given the opportunity to freely address governing body meetings.	Maximum score for access to address all principle governing body forums. Occasional access or lack of access would justify lower score. No access at all would justify a zero score.
i. Staff representatives, in addition to addressing the governing body, have the opportunity to engage with member nations.	Staff representative have access to inform member nations of their issues through receipt of the staff newsletter, and an annual formal report to the governing bodies or their committees on staff management relations. Where mechanisms exist to inform the governance mechanisms of staff issues (in addition to the infrequent address to the governing body) top scores are provided. If no mechanism exists, zero score.
j. Impartial externally conducted surveys are regularly conducted every two to four years to gauge staff concerns and priorities.	At least two qualifying surveys held over the last 8 years would merit a top score. No surveys in the last 4 years would justify a zero score. Surveys should be conducted in consultation with staff bodies and results should be publicly available.
k. Training in staff management relations is provided to staff representatives and management representatives.	Staff management relations training provided on a comprehensive basis would merit top score. The non-existence of any SMR training would justify a zero score.
<b>4. Staff rules are fair, clear and not arbitrary:</b>	
a. Number of cases brought before the administrative tribunals (fewer cases = higher score)	Score determined by cases per number of staff. Scores established in relation to other agencies. Highest quartile would receive no score; next quartile low score; third quartile medium score and fourth quartile top score.
b. Number of judgements decided against or in favour of the organization in the administrative tribunals (fewer cases = higher score).	Score determined by cases per number of staff. Scores established in relation to other agencies. Highest quartile would receive no score; next quartile low score; third quartile medium score and fourth quartile top score.
c. Lack of abusive actions against staff representatives (slander, arbitrary dismissal or reassignment, firings).	No prejudicial or questionable action against staff members would justify a top score. Several or repeated actions against staff

	members would justify a zero score.
d. Lack of abusive actions against staff in general (slander, arbitrary dismissal or reassignment, firings).	No evident of abusive actions – top score; numerous abusive actions – no score.
<b>5. Climate of openness and lack of discrimination:</b>	
a. Policies and programmes in place to prevent discrimination of any type.	Written policies and programmes with support for their implementation would merit a top score. Inadequate policies, depending on degree of adequacy, would solicit middle scores. The lack of a policy and actions would justify a zero score.
b. Policies which show respect for sexual orientation.	Written policies and programmes with support for their implementation would merit a top score. Inadequate policies, depending on degree of adequacy, would solicit middle scores. The lack of a policy and actions would justify a zero score.
c. Policies in place to support gender equality (Ratio of M/F is 50/50 in the organization, and M/F ratio is 50/50 in senior level positions.	Organization with 50/50 gender equality (or relatively close) at the professional and senior levels would receive top score. Ratios with one of the genders represented at less than 30% in these categories would justify a zero score.
<b>6. Organization shows a commitment and respects the value of work by maintaining a high proportion of regular staff, and not relying excessively on consultants and persons with limited contract periods and benefits.</b>	Score for Organization with a staff/non-staff ratio of 65%/35% or lower percent of non-staff would merit a high score. Staff/non-staff ratio of 50%/50% a medium score. Staff/non-staff ratio with consultants above 65% would merit a low or zero score.
<b>GRAND TOTAL</b> (based on maximum potential score of 100)	

## Appendix 4

### WORKING GROUP ON ORGANIZATION RATINGS

This was established to develop a means of establishing a ratings system for international organizations based on their compliance with the staff/management relations best practices, as compiled from the JIU and other sources.

In concrete terms, FICSA member associations/unions would be invited to complete a survey on the state of staff/management relations in their organization.

Once the survey is finalized, the survey would be managed by an independent body, to ensure easily verifiable objectivity and independence.

It was noted that for the survey to be successful for all stakeholders, both the criteria and ratings system needed to be unambiguous and easy-to-understand. It was also agreed that a non-negative spin would be beneficial.

#### Considerations:

Do we want to involve other federations to ensure the survey is UN-wide (CCISUA and UNISERV involvement/participation)?

Should awards be given to the best and worst organizations?

#### Timeframe:

1. End of March: WG reviews and provides comments on proposed survey criteria and develops a ratings system based thereon.
2. End of April: WG finalizes their reviewed survey and criteria.
3. End of May: WG sends survey with criteria to the Standing Committee with a request for circulation to FICSA Members.
4. End of 2017: Initial survey results are expected to be published.

#### Proposed recommendation from the Working Group on Organization Ratings to the Standing Committee on Staff/Management Relations:

The Standing Committee recommended that: (a) FICSA recognize the work of the Working Group establishing a rating system for international organizations based on a survey of FICSA Members to be completed by elected staff representatives; and (b) recommended that the FICSA Executive Committee strongly encourage the FICSA membership to participate in the survey, which would be conducted on an annual basis.



**Member of the Working Group:**

Olivier Steele (WIPO)  
Ritesh Singh (WHO/SEARO New Delhi)  
Fansuri Sheikh Feruq (WHO/GSC Kuala Lumpur)  
Matthew Montavon (AP-in-FAO)  
Sandra Gallet (UNESCO)  
Peter Kakucska (UNFCCC)  
Megan Lehmann (OPCW)  
Viera Seben (ICAO)

**Annex 9****REPORT OF THE AD HOC COMMITTEE ON STRATEGIC DEVELOPMENT**

Chair	Imed Zabaar (IAEA)
Rapporteur	Matthew Montavon (AP-in-FAO)
President, FICSA	Diab El-Tabari (UNRWA/ASA)
General Secretary, FICSA	Gemma Vestal (WHO/HQ Geneva)
Treasurer, FICSA	Gaston Jordan (ICAO)
Members, FICSA Executive Committee	Véronique Allain (SCBD)
	Peter Kakucska (UNFCCC)
	Pilar Vidal Estevez (PAHO/WHO Washington)
Regional Representative	Jason Sigurdson (UNAIDS Washington)
Information Officer, FICSA	Brett Fitzgerald

**Participants**

AP-in-FAO	Roberto Bonafede Juan J. Coy Girón Christopher Pardy
FAO/WFP UGSS	Elena Rotondo
ICAO	Walter Parks
IFAD	Dave Nolan
ITU	Akim Falou-Dine
OSCE	Nizar Zaher
UNAIDS	Taavi Erkkola
UNESCO	Elia Matias
UNFCCC	Santhosh Thanjavur Prakasam
WHO/GSC Kuala Lumpur	Irwan Mohd Razali
WMO	Andrès Orias Bleichner

### **Adoption of the agenda (Agenda item 1)**

1. The agenda was adopted as follows:
  1. Adoption of the agenda
  2. Election of the rapporteur
  3. FICSA representation in New York
  4. FICSA communications strategy in light of the new political dynamics
    - a) Mass and social media
    - b) Advocacy and campaigns
    - c) FICSA magazine
  5. FICSA website
  6. Assessment and review of FICSA/CCISUA cooperation agreement plus FICSA/CCISUA future collaboration
  7. Other matters from standing committees
  8. Other business

### **Election of the rapporteur (Agenda item 2)**

2. Mr. Matthew Montavon (AP-in-FAO) was elected Rapporteur.

### **FICSA representation in New York (Agenda item 3)**

3. The Chair noted that representation in New York (NY) was of critical importance to FICSA as the UN headquarters was the source of all major decisions. He felt that the presence of FICSA was essential to improving the Federation's advocacy in the many critical bodies based in NY, such as the ICSC and the United Nations General Assembly.
4. The FAO delegation suggested that a practical solution would be to have an officer located in NY who could establish contact with delegations and support FICSA lobbying endeavours in NY. It would be both difficult and divisive to attempt to move all FICSA offices to NY, yet having some representation was of fundamental importance. The FICSA Executive Committee would guide the NY representation on the critical elements to be addressed through lobbying for the year. Other members of the Ad hoc Committee endorsed the importance of representation in NY, given the recent change in UN leadership as well as potential challenges to the United Nations on the part of certain Member States.
5. It was proposed that a working group be set up to study the costs and implications of various representation options. Some rejected the notion of a study being required and suggested that FICSA would miss the boat as the challenges to the UN environment already loomed large and were imminent. The FICSA President expressed the view that the Federation did not have to act immediately as FICSA representatives would be in NY for many meetings throughout the year.
6. In conclusion, the following two points were made, both of which could be implemented, as they were not mutually exclusive:

**Noting the urgency and the immediate challenges that the United Nations and its staff were expected to face, a majority of the Ad hoc Committee members recommended having a post**

or a position based in New York with a public affairs and liaison portfolio and funded from the surplus in FICSA resources on a trial basis for one year.

It was also recommended that a working group be established to explore a longer-term approach to the Federation's presence and activities in New York. The review should cover a broad range of options.

#### **FICSA communications strategy in light of new political dynamics (Agenda item 4)**

7. The Chair introduced the topic and drew attention to some of the capabilities to be found in the Federation. The delegation from UNAIDS noted the need to position UN staff as highly competent and committed professionals who provided good value for their money. Participants acknowledged that FICSA should portray the UN in a positive light to avoid providing ammunition to those parties intent on harming the UN. Participants agreed that options for countering attacks against UN staff needed to be explored: FICSA should come out with a strong unifying message.

8. Participants agreed that a message should be transmitted that focused on staff's value as fully committed civil servants who supported development and the betterment of the lives of all. Committee members raised various approaches, such as going public, working through agency management or approaching representatives of Member States assigned to the UN. They agreed that a strategy needed to be defined and tools to be developed. They further agreed it was essential to define detailed approaches, which could be developed by resource persons, working groups or a possible FICSA representative in NY, with a clear understanding of what could be most effective and efficient.

9. The Committee discussed the use of communications materials, including mass and social media, advocacy and campaigns, as well as a truly focused FICSA magazine. A discussion was held on preparing such a magazine, but some members questioned the investment of time and work as it might be more productive to focus resources on the web or other communications tools. Communication tools should follow a communications strategy, responding to the needs of the FICSA membership and on-going issues. Members reiterated the previous year's recommendation on the need to hire a consultant to develop a communication strategy.

**The Committee recommended that funds in the amount of CHF 20,000 be drawn from the reserve to recruit a consultant (communications specialist) to prepare a communications strategy.**

#### **FICSA website (Agenda item 5)**

10. Discussion on the item was limited as the Committee members were of one mind as to the urgent need to revamp the FICSA website. They recommended the following:

**Given that the FICSA website required updating, the Ad hoc Committee reemphasized its previous recommendation that funds be provided to redesign the website. Funds that had been allocated in previous years had not been spent and had been shifted to the reserves. The surplus could be drawn down to fund the redesign of the website. The Committee recommended that funds in the amount of CHF 20,000 be drawn from reserves.**

**The Ad hoc Committee further recommended that the FICSA Executive Committee explore the possibility of issuing a tender for consultant(s) to advise on the communications strategy and the redesign of the website on a joint basis for cost-saving reasons, while maintaining the option of issuing individual consultancy contracts, if deemed more beneficial.**

**Assessment and review of FICSA/CCISUA cooperation agreement plus FICSA/CCISUA future collaboration (Agenda item 6)**

11. The FICSA President reported on the progress made in cooperating with CCISUA. He reminded the participants that no immediate efforts were being made to create a joint federation, but there had been some progress towards working together and reaching a common understanding, although CCISUA had been excessive on occasion, thus putting the staff federations in an embarrassing position. FICSA had voiced its concerns to CCISUA over the latter's impulsive and undiplomatic behaviour. It was further mentioned that although the Executive Committee had expressed the Federation's concerns directly to the CCISUA leadership, it was felt that those concerns had not been heeded.

12. Participants expressed the view that cooperation offered definite benefits, such as the synergies of joint lobbying activities. They acknowledged that as an independent federation, CCISUA might take action beyond the control of the other parties to the cooperation agreement. The challenges of working with CCISUA had led to frustration and tension within FICSA. Participants felt that FICSA was being associated with superficial, undiplomatic and sometimes inflammatory statements that were not to the credit of FICSA nor in line with its strategy. In keeping with paragraph 7 of the cooperation agreement, members suggested that prior to important meetings such as the United Nations General Assembly, HLCM, HR Network or ICSC, the FICSA Executive Committee should meet the leadership of CCISUA to discuss the topics/issues to be taken up at those meetings and agree on common positions.

**The Committee recommended that, while pursuing advantageous joint activities with the other staff federations, the FICSA Executive Committee be cautious and duly diligent in its interactions with the same. FICSA should reserve the right to: (i) refrain from taking part in initiatives taken by the other federations, should they be seen as impulsive or counterproductive; and (ii) distance the Federation from actions that it perceived as not being in the best interest of FICSA and its members.**

**Other matters from standing committees (Agenda item 7)**

13. No matters were raised under the agenda item.

**Other business (Agenda item 8)**

14. No matters were raised under the item.

**Annex 10**

**REPORT OF THE  
AD HOC COMMITTEE ON ADMINISTRATIVE AND BUDGETARY QUESTIONS**

Chair	Svend Booth (FAO/WFP-UGSS)
Rapporteur	Peter Lillie (FAFICS)
President, FICSA	Diab El-Tabari (UNRWA/ASA Lebanon)
General Secretary, FICSA	Gemma Vestal (WHO/HQ Geneva)
Treasurer, FICSA	Gaston Jordan (ICAO)
Members, FICSA Executive Committee	Véronique Allain (SCBD)
	Peter Kakucska (UNFCCC)
	Pilar Vidal Estevez (PAHO/WHO Washington)
	Imed Zabaar (IAEA)
Regional Representative	Bernadette Fogue (WHO/AFRO Brazzaville)
Information Officer, FICSA	Brett Fitzgerald

**Participants**

AP-in-FAO	Roberto Bonafede Juan José Coy Giròn Matthew Montavon Christopher Pardy
CERN	Joel Lahaye Ghislain Roy
FAO/WFP-UGSS	Peggy Brattlof Sonia Leuzzi Silvia Mariangeloni Carlos Palmer Elena Rotondo Luca Vecchia
IAEA	Katja Haslinger
ICAO	Elizabeth Gnehm Walter Parks
ILO ITC	Jesus García Jiménez
IFAD	Dave Nolan
IMO	Victor Mackenney Sarah Rabau-Dunlop Edwin Titi-Lartey

ITU	Henri-Louis Dufour Akim Falou-Dine Christian Gerlier Christine Gimenez
OPCW	Alberto Fernández-Kleinloog
OSCE	Nizar Zaher
UNAIDS	Taavi Erkkola Tanya Quinn-Maguire Jason Sigurdson
UNESCO	Sandra Gallet Andrea Leveque Elia Matias
UNFCCC	Santhosh Thanjavur Prakasam
UNGSC	Ezio Capriola Vincenzo De Leo Cosimo Melpignano
UNWTO	Maria Teresa Fernández Vanessa Satur
UPU	Stephane Vuillemin
WHO/AFRO Brazzaville	Lydie Fanny Florence Gassackys Simbarashe Mazvidza (Harare) Jasper Pasipamire (Harare) Christian Pethas Magilad
WHO/EMRO Cairo	Zaid Al-Nahi
WHO/EURO Copenhagen	Antonella Biasotto Kay Miller
WHO/HQ Geneva	Marina Appiah Stella Tabengwa
WHO/GSC Kuala Lumpu	Irwan Mohd Razali
WHO/SEARO New Delhi	Ekkadu Rangarajan Ritesh Singh
WIPO	Najib Ben Helal Christopher Mason
WMO	Andrès Orias Bleichner

## **Federation with observer status**

AFSM-WHO/SEAR New Delhi

Ram L. Rai

## **Introduction**

### **Adoption of the agenda (Agenda item 1)**

1. After re-ordering the sequence of agenda items, the Ad hoc Committee adopted the draft provisional agenda as below:

1. Adoption of the agenda (FICSA/C/70/A&B/CRP.1)
2. Nomination of the rapporteur
3. Presentation of a proposal of the Working Group that reviewed the work of the consultant on a new methodology for assessing the dues (FICSA/C/70/A&B/CRP.2)
4. Independent reviewer's report and FICSA financial statements for 2015 (FICSA/C/70/A&B/1)
5. Contributions received from member associations/unions, associate members, consultative and observer bodies up to 31 December 2016 (FICSA/C/70/A&B/5)
6. Treasurer's report for 2016 (FICSA/C/70/A&B/2)
7. Information on potential use of funds unspent in 2016 (FICSA/C/70/A&B/CRP.3)
8. Reports on the status of the Termination Indemnity Fund, Legal Defence Fund and Staff Development Fund (FICSA/C/70/A&B/3)
9. Special requests for reduced fees
10. Draft Programme and Budget 2017 (FICSA/C/70/A&B/4) and proposal to discontinue the biennial programme and budget
11. Proposed scale of contributions for 2017 (FICSA/C/70/A&B/6)
12. Update on staff contracts
13. Other business

### **Nomination of the rapporteur (Agenda item 2)**

2. Mr. Peter Lillie was nominated Rapporteur.

### **Presentation of a proposal of the Working Group that reviewed the work of the consultant on a new methodology for assessing the dues (Agenda item 3)**

3. The FICSA Treasurer, Mr. Gaston Jordan (ICAO), introduced a proposal for an alternative methodology for assessing dues (document FICSA/C/70/A&B/CRP.2). He went on to give a presentation on the findings of the Working Group that had been set up to review the proposal for a new methodology for assessing the dues that had been put forward at the previous Council session by a consultant, Ms. Nayiri Dolanjan. The Working Group, which initially comprised six members and ultimately only two, had identified a number of options, yet had made no clear recommendation as to the best option. After a subsequent exchange of e-mails in the third quarter of 2016, the Working Group opted for Option 2, as identified by the consultant, together with an element of Option 4 to facilitate the calculation of the units of contribution.



4. The Treasurer went on to explain the current methodology, the assignment of weighting factors to the various categories of staff and the determination of the 'band' that yielded the number of contribution units assigned to the individual members. The calculation formula was the total amount of funds required divided by the number of contribution units calculated on the basis of the weighted number of staff so as to assign a value to one unit of contribution. The individual scales of contribution were then derived on the basis of the number of units.

5. Option 2 had set out a fairer distribution of the financial burden on member associations/unions involving a modification of the weighting factors assigned to some categories of staff within the organizations and the correction of various inconsistencies. In the ultimate analysis, some members' dues increased, those of others decreased. By incorporating an element of Option 4, however, that used square root values, it would be possible to reduce and flatten increases. Since the square root of a number increased less rapidly than the number itself, the progression in dues would soften with each incremental increase. The approach could be adapted to the Federation's dues methodology since the existing units of contribution were a proxy for the weighted value of staff numbers. Therefore, for each band of contribution, the first value of the range could be converted into the corresponding square root value. That could be further adapted as a revised unit of contribution. The new methodology would result in a flatter fee structure that was simple to apply and had the potential to address some of the concerns expressed by FICSA members. Both the methodology and the financial impact of applying flatter dues rates were illustrated in the consultant's report and an accompanying spreadsheet.

6. The Treasurer went on to describe the possible impact of the new methodology were it to be the proposed combination of Option 2 and an element of Option 4. The Working Group had been of the view that the combined option worked better with a reduced budget. It had thus suggested that the Federation should work on the basis of a budget in the order of CHF 550,000 – 600,000. In the opinion of the Treasurer, it would be difficult to compress the amount of CHF 430,000 in Chapter 4 of the budget relating to the Secretariat, while the amount of CHF 90,000 – 100,000 in Chapter 1 of the budget, relating to representation, was an essential requirement. A minimum degree of variability was possible in Chapter 2 of the budget relating to the Council and Executive Committee as the amount of CHF 40,000 could vary according to the venue of the Council session.

7. The Working Group had thus suggested that: (i) Chapter 3 be removed from the budget; and (ii) training together with other activities of the standing committees be funded from a stand-alone fund, similar to the Legal Defence Fund. The rationale behind that suggestion was that Chapter 3 was invariably overfunded; in 2016, for example, 20 per cent of the funds allocated had not been spent. Furthermore, training activities sometimes generated funds.

8. The Treasurer had thus explored the possibility of setting up a new fund for training and standing committee activities with separate accounting, with an initial total allocation of CHF 50,000. If so required, the fund would be replenished from the Reserve Fund. Furthermore, member associations/unions would not be charged for the training they received under the fund.

9. If Council agreed to: (i) adopting the combined Option 2 plus elements of Option 4; (ii) reducing the budget to CHF 550,000; and (iii) setting up a dedicated fund for training and standing committee activities, the new methodology could be implemented as of 2018.

Thereafter, annual reports on the application of the methodology and the status of the dedicated fund would be submitted to Council.

10. In the ensuing discussion, questions were asked about: the data used to determine the low-pay areas; the specific elements of Option 4 that would be applied; the allocation of funds to the standing committees; and estimates for new incoming members.

11. It was explained that the data relating to low-pay areas had been very low as reflected by the minimal weighting factors used in the exercise. The low-pay figures were questionable and more accurate values could be obtained by using CEB data complemented by staff statistics such as those issued by WHO, when necessary. The figures used by the consultant were two-years old and would need to be updated.

12. As for the specific elements of Option 4 that would be used, it was explained that they related mainly to the use of square root values to smooth out the steps and so reduce the financial burden on member associations/unions. At a later stage in the discussion, it was suggested that the staff statistics over the years could be reviewed with a view to reducing allocations under Chapter 4. At an even later stage, it was suggested that a new approach to the calculation of a member's dues might be explored based on the payroll of its organization.

13. The allocation of funds to the standing committee activities was linked to the potential of an activity to generate funds. A case in point was the revenue yielded by the workshops organized by the Standing Committee on General Service Questions.

14. As for the estimates for new members, given the variances and different maturities of various organizations, one strategic choice might be to reduce the thresholds.

15. The Treasurer described the approach as ultimately being the cheapest option. Other participants spoke of it being too early to approve the new methodology, although it represented a move along the right track. Other suggestions included reconvening a working group, whose mandate would be to:

1. Evaluate the current situation of dues based on the capacity of the member associations/unions to pay.
2. Refine the options suggested by the consultant and evaluate them based on the current financial statement of each member association/union.
3. Explore possible new formulae for calculating dues.
4. Provide guidelines on identifying mechanisms to encompass special requests from member associations/unions in need of financial assistance.
5. Recommend to the FICSA Executive Committee the option that was the most inclusive and equitable option.
6. Submit its recommendations to the FICSA Treasurer no later than 31 July 2017.

16. Names were put forward, but not limited to: Ms. Sandra Gallet (UNESCO), Mr. Gaston Jordan (ICAO), Mr. Cosimo Melpignano (UNGSC), Ms. Kay Miller (WHO/EURO Copenhagen), Ms. Andrea Leveque (UNESCO/STU), Mr. Svend Booth (FAO/WFP-UGSS), Mr. Nizar Zaher (OSCE), Mr. Akim Falou Dine (ITU) and Mr. Juan Coy (AP-in-FAO).

**The Ad hoc Committee recommended that a working group be established to follow up on the findings of the previous working group that had done the groundwork on dues methodologies. It would take up the suggestions that had emerged during the discussions at the present Council with a view to identifying the most viable dues structure.**

**Independent reviewer's report and FICSA financial statements for 2015 (Agenda item 4)**

17. The Chair introduced the Independent Reviewer's report and the FICSA financial statements for 2015 (documents FICSA/C/70/A&B/1 and Add.1). He pointed to the fact that the independent reviewer, Mr. John McGhie, had expressed his satisfaction that the financial statement for 2015 was in accord with the books and records of the Federation. He was also satisfied that the financial transactions reflected in the financial statements were in accordance with the Financial Rules and Regulations, the budgetary provisions and other applicable directives.

18. In the discussion of the document, attention was drawn to certain anomalies in the figures in Annex 1 that called for further explanation from the accountant and the independent reviewer.

19. The Chair went on to present the Independent Reviewer's management letter that had been presented as a spreadsheet and covered outstanding comments made in previous management letters dating back to 2011. The Ad hoc Committee noted the comments relating to the arrears that FUNSAs had continued to accrue over the years (see also agenda item 6 below), definition of the role of the General Secretary and the Memorandum of Understanding between UNOG and FICSA.

**The Ad hoc Committee recommended that the Independent Reviewer's comments relating to the differentiation of the roles of the President and the General Secretary be brought to the attention of the FICSA Executive Committee, with due account being taken of the bank reconciliation requirements noted by the Independent Reviewer in 2011(1) and 2011(5).**

20. The Ad hoc Committee took note of the review of the Federation's financial statements for 2015. Thanks were expressed to both the Independent Reviewer and the FICSA Accountant, Ms. Robyn Thomas.

**Contributions received from member associations/unions, associate members, consultative and observer bodies up to 31 December 2016 (Agenda item 5)**

21. The Treasurer introduced the statement of contributions received from member associations/unions, associate members, consultative and observer bodies up to 31 December 2016 and the updates thereto (FICSA/C/70/A&B/5, Add. 1 and Add.2).

22. The Ad hoc Committee expressed its grave concern over the non-payment of dues and the failure of certain member associations/unions to meet their financial obligations. It had been informed of the difficulties the IPU Staff Union faced in arranging payroll deductions. The problems besetting WHO/EMRO Staff Association were in the process of being solved, while the failure of the CSSA to pay its dues over a period of three years would lead to automatic suspension.

The Ad hoc Committee instructed the Executive Committee to inform the FUNSAs that had not availed themselves of the conditions set out in the decision adopted at the 69<sup>th</sup> session of the Council that they would be excluded from membership with immediate effect. Furthermore, those FUNSAs would have to pay all outstanding dues before being eligible to re-join the Federation. It further instructed the Executive Committee to follow up with the IPU Staff Union and CSSA on their arrears, make both members aware of their imminent suspension and report back to the 71<sup>st</sup> session of the Council.

23. The Ad hoc Committee took note of the statement of contributions and thanked those associations/unions that had paid their annual contributions on time.

#### **Treasurer's report for 2016 (Agenda item 6)**

24. The Treasurer introduced his report and highlighted various sections thereof (ref. FICSA/C/70/A&B/2/Rev.1). He drew attention to the statement of financial performance shown in Table 1 and the surplus that had accrued in both Chapters 3 and 4.

25. It was positively remarked that the growth in training had not merely yielded an increase in income, but also represented an investment in the future by engaging newcomers and securing their commitment to the Federation.

26. It was suggested that the costs of the services provided by the FICSA Accountant could be saved were the FICSA Secretariat to draw on the services of volunteers in her stead. In addition to the difficulties of coordinating volunteer services, it was explained that formal contracts always guaranteed a product. The contractual arrangement and the good services provided thereunder should thus unquestionably be maintained.

27. The Ad hoc Committee commended the Treasurer on his report and thanked him for the time and effort he had invested in its preparation.

#### **Information on potential use of funds unspent in 2016 (Agenda item 7)**

28. The Treasurer introduced the paper (document FICSA/C/70/A&B/CRP.3). As explained in that paper, it had been decided in the context of the draft budget for 2017 to draw down savings in the order of CHF 103,000 so as to maintain the level of dues at about CHF 620,000, similar to the levels in the past two years. It had since been determined that the same effect could be achieved, were a lesser amount of CHF 90,000 to be drawn down. The funds unspent in 2016 plus reserves (CHF 40,000) could be used to provide the amount needed to achieve that objective.

**The Ad hoc Committee recommended that the unspent balance in 2016 be carried over into 2017 so as to contain membership dues.**

#### **Reports on the status of the Termination Indemnity Fund, Legal Defence Fund and Staff Development Fund (agenda item 8)**

28. The Treasurer introduced the report related to the item (document FICSA/C/70/A&B/3).

29. In the subsequent discussion, the Ad hoc Committee noted that the balance, CHF 292,891, in the Termination Indemnity Fund Liability Account had, in fact, been 'overprovisioned' to the

tune of approximately CHF 39,000. That surplus had since been transferred to 'other income' so as to reduce the excess in the Liability Account. It further noted that no changes to the Termination Indemnity Fund had been proposed on account of the minimal excess in the balance relating to Professional staff and the minimal deficit in the balance relating to General Service staff.

30. Within the context of the Legal Defence Fund, the Ad hoc Committee took note of the funds that had been advanced as contributions towards the legal costs associated with three appeals lodged over the past four years. The most recent advance of CHF 20,000 had been paid to the WIPO Staff Association in connection with its ongoing appeal against their Director General. The Treasurer confirmed that reserve funds in the amount of CHF 20,000 had been used to replenish the Legal Defence Fund. In response to a query, the Chair confirmed that if an appellant received an advance from the Legal Defence Fund as a contribution towards the legal costs of an appeal and should that appeal be successful and costs awarded, the funds advanced would be recovered.

31. As for the Staff Development Fund, the Ad hoc Committee noted that although staff in the FICSA Secretariat had received language training, it had not proved necessary to draw on the Fund that currently stood at 1 per cent of the total salary costs of the staff in the secretariat.

### **Special requests for reduced fees (Agenda item 9)**

32. The problems that had plagued UNESCO over the past years had worsened in the wake of the most recent developments. The current arrears of the Member States amounted to US\$ 555 million (the United States alone accounting for US\$ 470 million) and outstripped the total budget of UNESCO for the biennium 2018-2019 that stood at some US\$ 507 million. The budgetary situation not only posed the threat of further posts being abolished, but the Administration's subsidy to the staff unions was constantly decreasing. The situation was further exacerbated by the fact that the financial resources needed to pay staff did not extend beyond May 2017. Staff numbers were also decreasing and with half of the staff in 2016 working on temporary assistance posts, they had felt little compunction to commit to a staff union for a whole year. Furthermore, UNESCO had two staff bodies and as things stood, a merger or reconciliation was out of the question. Not only did it mean that the two staff bodies had to share the Administration subsidy, but the dual choice often meant that staff joined neither body.

33. In 2015, UNESCO/STU had requested that the FICSA Council grant it a reduced membership fee of CHF 25,000 for two years, while it had undertaken to attract more members through improved communications with staff, a tri-lingual website, automatic deduction of membership fees from payrolls and inclusion of STU in the induction briefings for new staff members conducted by HRM. Whereas the number of its members had remained constant, STU had been unable to increase revenues and resume payment of a full membership fee to FICSA. The situation was such that STU found itself unable to pay both the outstanding debt and the reduced dues for 2017.

34. Given the above adverse situation, STU had notified FICSA in June 2016 of its withdrawal from FICSA with effect from 31 December 2016. At the same time, in coming to the present Council, STU had a clear mandate from its governing body to seek agreement with FICSA on one of two approaches: (a) preferably cancellation of the debt of CHF 25,000 and the extension of the reduced fee of CHF 25,000 per year for both 2017 and 2018; or (b) in the event of debt

cancellation proving unobtainable, UNESCO/STU would rescind its status as a full member and apply for consultative membership. However, it subsequently transpired that UNESCO/STU was not eligible for consultative membership.

35. A protracted discombobulating debate ensued in which some members spoke of the need to show goodwill and grant STU time in which to get its house in order, while others pointed to other staff associations/unions having to bear the brunt and possibly draw on reserves to cover underpayment by one member. It was noted that no association/union was immune to such circumstances and the Federation should draw up procedures for dealing with such contingencies. The need for such procedures became apparent when the WIPO Staff Association announced that it might be unable to pay its dues on account of the decision by the Director General of WIPO to suspend payment of the annual subsidy of CHF 37,200 they normally received. In the ultimate analysis, it was agreed that a vote be taken on the issue.

**The Ad hoc Committee recommended that a vote be taken in Council to establish first whether membership was willing to cancel the debt of UNESCO/STU amounting to CHF 25,000. If the debt were cancelled, the membership dues for 2017 would be fixed at CHF 25,000. Should the Federation not accept the debt being written off, UNESCO/STU would settle its outstanding debt and apply for special status for 2017.**

#### **Draft Programme and Budget 2017 and proposal to discontinue the biennial programme and budget (Agenda item 10)**

36. Prior to taking up the draft programme and budget for 2017, the Ad hoc Committee entered into an extended simulation exercise at the request of UNESCO/STU. The exercise was designed to show the potential impact of the withdrawal of UNESCO/STU. Four scenarios were presented:

- UNESCO/STU at full weight with no preferential treatment;
- UNESCO/STU at half-weight;
- UNESCO/STU at a fixed amount; and
- UNESCO/STU without status.

The knowledge gained from the exercise would permit members to take an enlightened decision when voting on the precarious situation facing UNESCO/STU.

37. The discussion on the scenarios revealed a number of inconsistencies in terms of calculating weights and their use during the voting process.

**The Ad hoc Committee recommended that the FICSA Executive Committee ensure that the figures used to calculate weighted staff were duly reflected in the weights used in voting.**

38. The Treasurer introduced the draft programme and budget for 2017, the format of which had been changed slightly so as to facilitate the decision-making process. He pointed once again to the use of unspent funds (see Agenda item 7), revenue for 2017 and the proposal to discontinue biennial budgeting that had been described in a succinct narrative.

39. The Ad hoc Committee paid particular attention to the expenditures associated with the four budget chapters:

- FICSA representation activities;
- FICSA Council and Executive Committee activities;
- FICSA Standing Committees and training activities; and
- FICSA administration.

In the course of examining the four chapters, an assurance was sought that due provision had been made to cover the Federation's liabilities, staffing projections and the impact of a possible decrease in membership revenue. It was further explained that in those instances where replenishment had taken place, it had been a combination of resources drawn from contributions income and reserves.

#### *Chapter 1*

40. The Ad hoc Committee approved the proposed expenditures.

#### *Chapter 2*

41. The Ad hoc Committee approved the proposed expenditures.

#### *Chapter 3*

42. The Ad hoc Committee approved a global amount distributed equally across all items of expenditure of CHF 49,456.

#### *Chapter 4*

43. The Ad hoc Committee approved the proposed expenditures. It noted that the expenditure in budget line 4.03 had been increased to read CHF 77,500 in order to accommodate the hiring of an expert to design a communications strategy (CHF 20,000) while the upgrading of the FICSA website (CHF 20,000) had already been previously provided for but had not been spent.

44. The proposed totals under the individual chapters were:

Chapter 1: CHF 94,026

Chapter 2: CHF 58,189

Chapter 3: CHF 49,456

Chapter 4: CHF 539,859

45. The sum total of the four chapters of the budget was **CHF 741,530**: the amount to be paid by full and associate members.

46. The Ad hoc Committee adopted the draft budget (Annex 12).

47. For want of time, the Ad hoc Committee did not take up the proposal to discontinue biennial budgeting.

**Proposed scale of contributions for 2017 (Agenda item 11)**

48. Prior to adopting the scale of contributions, it was necessary to itemize the amounts to be taken from the reserve fund. The amounts concerned were:

- (i) CHF 49,633 that was rounded up to CHF 50,000 representing the carry-over of the 2016 surplus;
- (ii) CHF 40,000 as suggested by the Treasurer in order to contain the levels of dues;
- (iii) CHF 20,000 for the redesign of the website; and
- (iv) CHF 20,000 for the consultant on communications.

49. The final scale of contributions, based on the standard methodology (Annex 13), was revised in light of the decision by Council to write off the debt of UNESCO/STU in the amount of CHF 25,000 (Annex 14).

**Update on staff contracts (Agenda item 12)**

50. The Information Officer was on a one-year renewable loan from WIPO that had been extended for a further year as of 1 January 2017. All remaining staff held 5-year contracts with the United Nations Office in Geneva. Two of the contracts ran until 31 December 2020 and the third was up for renewal in April 2017.

**Other business (Agenda item 13)**

51. No issue was taken up under the agenda item.



## Annex 11

**POSTAL VOTE PROCEDURE IN RESPECT OF ARTICLE 37 OF THE FICSA STATUTES****For Postal Vote Number 1/2017:**

Proposal to amend Article 37 of the FICSA Statutes.

**Proposal by IAEA:**

*Members of the Executive Committee and Regional Representatives may be recalled by a vote of No Confidence if there is substantiated evidence of financial mismanagement or misconduct, and /or professional misconduct.*

**ITU's amendment to the IAEA proposal:**

*Members of the Executive Committee may be recalled by a vote of No Confidence if there is substantiated evidence of financial mismanagement or misconduct, and /or professional misconduct.*

**Please vote on whether to accept or reject the proposed amendment of the text by ITU.**

**For Postal Vote Number 2/2017:**

Depending on the outcome of Postal Vote 1/2017, the proposal is put forth to amend Article 37 of the FICSA Statutes as follows:

**Proposal by IAEA:**

*Members of the Executive Committee and Regional Representatives may be recalled by a vote of No Confidence if there is substantiated evidence of financial mismanagement or misconduct, and /or professional misconduct.*

**Please vote on whether to accept or reject the IAEA proposal to replace the current text of Article 37 of the FICSA Statutes by the text proposed in the above paragraph.**

**Text currently in force**

*Members of the Executive Committee may be recalled by a vote of No Confidence if there is prima facie evidence of financial and/or professional mismanagement/misconduct.*

The paragraphs thereafter remain unchanged, i.e. the same as in Article 37 of the FICSA Statutes:

- A vote of No Confidence may be called for if one Member in good standing requests one and 25 per cent of the Members of the Federation approve.
- It will then be put to a vote. Double majority will be required.
- If a vote of No Confidence is successful, Article 32 of the Statutes will be applied.

## Annex 12

## PROGRAMME AND BUDGET FOR 2017-2018

		2016 Approved Budget	2017 estimates at 2016 prices	variance 2017 over 2016	variance 2017 over 2016 - %	Price Adjustment *	2017 estimates at 2017 prices
<b>Expenditures by Line</b>							
<b>1</b>	<b>Chapter One, FICSA Representation</b>						
1.01	UN General Assembly	20,000	22,503	2,503	12.51%	1.1%	22,750
1.02	UNJSPB	5,060	4,951	(109)	-2.16%	1.1%	5,005
1.03	HLCM	4,000	5,871	1,871	46.77%	1.1%	5,935
1.04	HR Network	4,000	1,956	(2,044)	-51.10%	1.1%	1,978
1.05	ICSC (Sessions, Working Groups & Committees)	42,000	39,135	(2,865)	-6.82%	1.1%	39,565
1.06	IASMN	4,000	3,912	(88)	-2.19%	1.1%	3,956
1.07	External Relations & Contingency Travel	15,000	14,676	(324)	-2.16%	1.1%	14,837
	<b>Total, Chapter One</b>	<b>94,060</b>	<b>93,003</b>	<b>(1,057)</b>	<b>-1.12%</b>		<b>94,026</b>
<b>2</b>	<b>Chapter Two, FICSA EXCOM</b>						
2.01	FICSA Council	32,000	51,686	19,686	61.52%	1.1%	52,255
2.02	EXCOM and Regional Activities	2,000	1,956	(44)	-2.19%	1.1%	1,978
2.03	FICSA Council overheads	4,000	3,912	(88)	-2.19%	1.1%	3,956
	<b>Total, Chapter Two</b>	<b>38,000</b>	<b>57,555</b>	<b>19,555</b>	<b>51.46%</b>		<b>58,189</b>
<b>3</b>	<b>Chapter Three, FICSA Services</b>						
3.01	Conditions of Services in the Field	7,077		(7,077)	-100.00%		-
3.02	General Service Questions	7,077		(7,077)	-100.00%		-
3.03	Human Resources Management	7,077		(7,077)	-100.00%		-
3.04	Legal Questions	7,077		(7,077)	-100.00%		-
3.05	Professional Salaries and Allowances	7,077		(7,077)	-100.00%		-
3.06	Staff/Management Relations	7,077		(7,077)	-100.00%		-
3.07	Social Security/OHS	7,077		(7,077)	-100.00%		-
	<b>Total, Chapter Three</b>	<b>49,537</b>	<b>48,918</b>	<b>(619)</b>	<b>-1.25%</b>	<b>1.1%</b>	<b>49,456</b>

**4 Chapter Four, FICSA Administration**

4.01	Geneva Staff costs	435,000	420,000	(15,000)	-3.45%	0.0%	420,000
4.02	US Tax Assessment		17,300	17,300	0.00%	0.0%	17,300
4.03	Consultants/Experts	37,500	77,500	40,000	106.67%	0.0%	77,500
4.04	External Audit	3,000	3,000	-	0.00%	0.0%	3,000
4.05	IT services	5,000	5,871	871	17.41%	1.1%	5,935
4.06	Supplies & Materials	2,000	2,446	446	22.29%	1.1%	2,473
4.07	Geneva Office Rent	9,000	8,805	(195)	-2.17%	1.1%	8,902
4.08	Bank Charges	1,750	1,750	-	0.00%	0.0%	1,750
4.09	Contingencies	2,000	2,000	-	0.00%	0.0%	2,000
4.1	Staff Training	1,000	1,000	-	0.00%	0.0%	1,000
<b>Total, Chapter Four</b>		<b>496,250</b>	<b>539,672</b>	<b>43,422</b>	<b>8.75%</b>		<b>539,859</b>
<b>Grand Total</b>		<b>677,847</b>	<b>739,148</b>	<b>61,301</b>	<b>9.04%</b>		<b>741,530</b>

## Annex 13

## CALCULATION OF THE CONTRIBUTIONS FOR 2017

	CHF
Total amount to be covered by contributions	741,530
Special reduced flat rate for UNESCO <sup>2</sup>	25,000
Contributions by Consultative Members: 14 x CHF 600 & 1 x CHF 300 <sup>1</sup>	8,700
Amount to be covered by funds carried over from 2016 and Reserve <sup>3</sup>	155,000
Total amount to be covered by Full and Associate Members	552,830
Total number of units	97.9080
Value of one unit	5,646.42

CHF				
Band	Weighted number of staff	Units	Member	Associate
1	1100 plus	11	62,111	5,590
2	1000 - 1099.9	10	56,464	5,082
3	900 - 999.9	9	50,818	4,574
3	800 - 899.9	8	45,171	4,065
4	700 - 799.9	7	39,525	3,557
5	600 - 699.9	6	33,879	3,049
6	500 - 599.9	5	28,232	2,541
7	400 - 499.9	4	22,586	2,033
8	300 - 399.9	3	16,939	1,525
9	200 - 299.9	2	11,293	1,016
10	150 - 199.9	1.5	8,470	762
11	100 - 149.9	1	5,646	508
12	60 - 99.9	0.6	3,388	305
13	40 - 59.9	0.4	2,259	203
14	<40	WN / 100		

<sup>1</sup> Consultative member FAFICS dues rate at CHF 300 as approved by 67th FICSA Council.

<sup>2</sup> Special reduced flat rate for UNESCO, ie units not applied as not as part of methodology.

<sup>3</sup> Exceptionally for 2017 an amount of CHF 90,000 has been drawn from Reserve funds.

## Annex 14

## SCALE OF CONTRIBUTIONS FOR 2017

Member / Associate	W'ed Staff	Units	CHF 2017	CHF 2016
Bioversity	158.93	0.135	762	811
BIPM	56	0.036	203	216
CERN	1914.5	0.99	5,590	5,948
CSSA	217.43	0.18	1,016	1,224
CTBTO	257.5	0.18	1,016	1,081
AP-in-FAO	1362.14	11	62,111	66,084
FAO/WFP-UGSS	562	5	28,232	30,038
ECB	1235	0.99	5,590	5,948
ESO	348	0.27	1,525	1,622
Global Fund	665	0.54	3,049	3,244
IAEA	1860.1	11	62,111	66,084
IARC	158.01	1.5	8,470	6,008
ICAO	526.59	5	28,232	30,038
ICCO	12	0.0108	61	65
ICO	15	0.0135	76	78
IDLO	53	0.036	203	216
IFAD	442.3	4	22,586	24,031
ILO/ITC	115.5	1	5,646	6,008
IMO	202.13	2	11,293	12,015
IOC	22	0.0198	112	103
IOM	1022	0.9	5,082	4,326
IPU	32.5	0.325	1,835	2,210
ISSN	8	0.0072	41	
ITER	508	0.45	2,541	1,622
ITU	569.2	5	28,232	30,038
OPCW	396.5	0.27	1,525	1,622
OSCE	231.5	2	11,293	
PAHO/WHO	527.11	5	28,232	30,038
SCBD	50	0.4	2,259	2,403
UNAIDS	417.47	4	22,586	24,031
UNESCO	1208.59	0	25,000	25,000
UNFCCC	344.3	3	16,939	18,023
UNGSC	142.5	1	5,646	6,008
UNRWA/ASA	30	0.3	1,694	1,802
UNWTO	69	0.6	3,388	3,605
UPU	117.5	1	5,646	6,779
WCO	73	0.054	305	324
WHO/AFRO	345.62	3	16,939	18,023
WHO/EMRO	161.2	1.5	8,470	9,011
WHO/EURO	275.14	2	11,293	12,015
WHO/GSC	25.07	0.2507	1,416	-
WHO/HQ	1387.15	11	62,111	66,084
WHO/SEARO	111.96	1	5,646	6,008
WHO/WPRO	159.05	1.5	8,470	9,011
WIPO	780.7	7	39,525	42,054
WMO	225.69	2	11,293	12,015
WTO/OMC	547	0.45	2,541	2,703
Totals	19948.88	97.9080	577,830	595,617

## Annex 15

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## Annex 16

## LIST OF DOCUMENTS AND CONFERENCE ROOM PAPERS

## DOCUMENTS

FICSA/C/70	Title
1	Provisional agenda for the 70 <sup>th</sup> FICSA Council
2	Nomination form and terms of reference for the officers of FICSA (Executive Committee and Regional Representatives)
3	Credentials for the 70 <sup>th</sup> FICSA Council
4	Terms of reference for the FICSA standing committee chairs and vice-chairs
(E/F) 5	FICSA Statutes, Rules of Procedure of the Council and Financial Rules
6/Add.1	Candidates for election to the Executive Committee and Regional Representatives
7/Rev.1	Report of the Executive Committee to the 70th session of the FICSA Council

FICSA/C/70/CRP.	Title
1	United Nations General Assembly resolutions – 71 <sup>th</sup> session

## INFORMATION DOCUMENTS

FICSA/C/70/INFO	Title
1	Information for delegates

FICSA/C/70/INFO/CRP.	Title
1/Rev.3	Schedule of meetings
2	Provisional list of participants
3	List of documents and conference room papers for the 70 <sup>th</sup> FICSA Council (As of 14 February 2017)

## AD HOC COMMITTEE ON ADMINISTRATIVE AND BUDGETARY QUESTIONS

FICSA/C/70/A&B	Title
1	Independent reviewer's report – FICSA financial statements for 2015
1/Add.1	Management letter
2	Treasurer's Report for 2016
3	Reports on the status of the termination indemnity fund, legal defence fund and staff development fund
4	Draft programme and budget – 2017
5	Statement of contributions of member associations/unions, associate members, consultative and observer bodies based on information received up to 31 December 2016
5/Add.1	Update on the statements of contributions for member associations/unions and observer bodies based on information received up to 31 January 2017
5/Add.2	Second update on the statement of contributions for member associations/unions based on information received up to 13 February 2017
6	Provisional scale of contributions for 2017

FICSA/C/70/A&B/CRP.	Title
1	Provisional agenda
2	Proposal: An alternative methodology for assessing dues
3	Carryover of unspent funds in 2017

#### AD HOC COMMITTEE ON STRATEGIC DEVELOPMENT

FICSA/C/70/SD/CRP.	Title
1/Rev.1	Provisional agenda

#### STANDING COMMITTEE ON CONDITIONS OF SERVICE IN THE FIELD

FICSA/C/70/FIELD/CRP.	Title
1	Provisional agenda

#### STANDING COMMITTEE ON GENERAL SERVICE QUESTIONS

FICSA/C/70/GSQ/CRP.	Title
1/Rev.2	Provisional agenda
2	Provisional agenda of the Permanent Technical Committee on General Service Questions (PTC/GSQ)

#### STANDING COMMITTEE ON HUMAN RESOURCES MANAGEMENT

FICSA/C/70/HRM/CRP.	Title
1/Rev.2	Provisional agenda
2	Mandatory age of separation (MAS)

#### STANDING COMMITTEE ON LEGAL QUESTIONS

FICSA/C/70/LEGAL/CRP.	Title
1	Provisional agenda
2	FICSA appeals training workshops - Proposal for 3 new workshops
3	Periodicity of steps for staff in the Professional and higher categories
4	Update on the legal defence cases of three former ICO staff
5	Preliminary legal opinion on the lawfulness of the removal of entitlements from staff who have newly-acquired Swiss nationality by Edward P. Flaherty
6	Updated concerning the ICCO

#### STANDING COMMITTEE ON PROFESSIONAL SALARIES AND ALLOWANCES

FICSA/C/70/PSA/CRP.	Title
1/Rev.2	Provisional agenda
2	Provisional agenda of the Permanent Technical Committee on Professional Salaries and Allowances (PTC/PSA)
3	Summary on the general principles of acquired rights by Christopher Bollen

**STANDING COMMITTEE ON STAFF/MANAGEMENT RELATIONS**

FICSA/C/70/SMR/CRP.	Title
1/Rev.2	Provisional agenda

**STANDING COMMITTEE ON SOCIAL SECURITY/  
OCCUPATIONAL HEALTH AND SAFETY**

FICSA/C/70/SOCSEC/CRP.	Title
1/Rev.2	Provisional agenda
2	Recognition of personal status by the Pension Fund

**MISCELLANEOUS**

	Title
	A Pocket Guide to the FICSA Council

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