

ICSC/1/Rev.3

International Civil Service Commission

Statute
and
Rules of Procedure



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STATUTE

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INTRODUCTORY NOTE

By its resolution 3042 (XXVII) of 19 December 1972, the General Assembly decided in principle to establish an international civil service commission and requested the Secretary-General, together with his colleagues on the Administrative Committee on Co-ordination ^a, to submit detailed proposals, including a draft statute.

By its resolution 3357 (XXIX) of 18 December 1974, the Assembly decided:

- (a) To approve the present statute of the International Civil Service Commission;
- (b) To endorse the administrative and budgetary arrangements proposed for 1975 by the Secretary-General, subject to the recommendations of the Advisory Committee on Administrative and Budgetary Questions;
- (c) To request the International Civil Service Commission to review, as a matter of priority, the United Nations salary system in accordance with the decision in paragraph 5 of General Assembly resolution 3042 (XXVII) and to submit a progress report to the Assembly at its thirtieth session;
- (d) To invite the organizations members of the United Nations common system to participate in and contribute to the work of the International Civil Service Commission and request the Secretary-General, as Chairman of the Administrative Committee on Co-ordination, to report on relevant developments to the General Assembly at its thirtieth session.

By its resolution 77/256 A of 30 December 2022, the Assembly decided to amend articles 10 and 11 of the statute, for clarification purposes and without altering the Commission's authority or affecting the current operational reality.

The Commission adopted its rules of procedure at its first session in May 1975 and amended these rules at its twenty-fifth session in March 1987, at its forty-first session in 1995 and at its forty-eighth session in 1998.

The second part of this publication has been revised to show all updates in the rules of procedure, to reflect the current inter-agency structure, to introduce a more gender-neutral language, to add the name of one staff federation and to reflect the current member organizations, as of 2022.

^a The former Administrative Committee on Co-ordination is now the United Nations System Chief Executives Board for Coordination.

STATUTE

CHAPTER I. ESTABLISHMENT

Article 1

1. The General Assembly of the United Nations establishes, in accordance with the present statute, an International Civil Service Commission (hereinafter referred to as the Commission) for the regulation and coordination of the conditions of service of the United Nations common system.

2. The Commission shall perform its functions in respect of the United Nations and of those specialized agencies and other international organizations which participate in the United Nations common system and which accept the present statute (hereinafter referred to as the organizations).

3. Acceptance of the statute by such an agency or organization shall be notified in writing by its executive head to the Secretary-General.

CHAPTER II. COMPOSITION AND APPOINTMENT

Article 2

The Commission shall consist of fifteen members appointed by the General Assembly, of whom two, who shall be designated Chairman and Vice-Chairman respectively, shall serve full-time.

Article 3

1. The members of the Commission shall be appointed in their personal capacity as individuals of recognized competence who have had substantial experience of executive responsibility in public administration or related fields, particularly in personnel management.

2. The members of the Commission, no two of whom shall be nationals of the same State, shall be selected with due regard for equitable geographical distribution.

Article 4

1. After appropriate consultations with Member States, with the executive heads of the other organizations and with staff representatives, the Secretary-General, in his capacity as Chairman of the Administrative Committee on Co-ordination shall compile a list of candidates for appointment as Chairman, Vice-Chairman and members of the Commission and shall consult with the Advisory Committee on Administrative and Budgetary Questions before consideration and decision by the General Assembly.

2. In the same way, the names of candidates shall be submitted to the General Assembly to replace members whose terms of office have expired or who have resigned or otherwise ceased to be available.

Article 5

1. The members of the Commission shall be appointed by the General Assembly for a term of four years and may be reappointed. Of the members initially appointed, however, the terms of five members shall expire at the end of three years, and the terms of five other members at the end of two years.
2. A member appointed to replace a member whose term of office has not expired shall hold office for the remainder of his or her predecessor's term.
3. A member of the Commission may resign on giving three months' notice to the Secretary-General.

Article 6

1. The Commission shall be responsible as a body to the General Assembly. Its members shall perform their functions in full independence and with impartiality; they shall not seek or receive instructions from any Government, or from any secretariat or staff association of an organization in the United Nations common system.
2. No member of the Commission may participate in the deliberations of any organ of the organizations on any matter within the competence of the Commission unless the Commission has requested him or her to do so as its representative. Nor shall a member of the Commission serve as an official or consultant of any such organization during his or her term of office or within three years of ceasing to be a member of the Commission.

Article 7

1. No appointment of a member of the Commission can be terminated unless, in the unanimous opinion of the other members, he or she has ceased to discharge the duties in a manner consistent with the provisions of the present statute.
2. Notification thereof to the Secretary-General by the Commission shall make the place vacant.

Article 8

1. The Chairman shall direct the work of the Commission and its staff.
2. If the Chairman is unable to act, the Vice-Chairman shall act as Chairman.
3. For the purposes of the Convention on the Privileges and Immunities of the United Nations, the Chairman and the Vice-Chairman of the Commission shall have the status of officials of the United Nations.

CHAPTER III. FUNCTIONS AND POWERS

Article 9

In the exercise of its functions, the Commission shall be guided by the principle set out in the agreements between the United Nations and the other organizations, which aims at the development of a single unified international civil service through the application of common personnel standards, methods and arrangements.

Article 10

The Commission shall make recommendations to the General Assembly on:

- (a) The broad principles for the determination of the conditions of service of the staff;
- (b) The salary scale and the value of the post adjustment multiplier for staff in the Professional and higher categories;
- (c) Allowances and benefits of staff which are determined by the General Assembly;¹
- (d) Staff assessment.

Article 11

The Commission shall establish:

- (a) The methods by which the principles for determining conditions of service should be applied;
- (b) Rates of allowances and benefits, other than pensions and those referred to in article 10(c), the conditions of entitlement thereto and standards of travel;
- (c) The post adjustment applicable to each duty station.

Article 12

1. At the headquarters duty stations and such other duty stations as may from time to time be added at the request of the Administrative Committee on Co-ordination, the Commission shall establish the relevant facts for, and make recommendations as to, the salary scales of staff in the General Service and other locally recruited categories.

2. Notwithstanding the provisions of paragraph 1 above, the executive head or heads concerned, after consultation with the staff representatives, may request the Commission to determine the salary scales at a particular duty station instead of making a recommendation. The salary scales so determined shall apply to all staff in the same category at the duty station.

3. In exercising its functions under paragraphs 1 and 2 above, the Commission shall, in accordance with article 28, consult executive heads and staff representatives.

4. The Commission shall determine the date or dates on which it can assume the functions set out in this article.

Article 13

The Commission shall establish job classification standards for all categories of staff in fields of work common to several of the organizations. It shall advise the organizations on the development of consistent job classification plans in other fields of work.

¹ Dependency allowances and language incentives for staff in the Professional and higher categories, education grant, home leave, repatriation grant and termination indemnity

Article 14

The Commission shall make recommendations to the organizations on:

- (a) Standards of recruitment;
- (b) The development of recruitment sources, including the establishment of central rosters of qualified candidates, particularly at junior entrance levels;
- (c) The organization of competitive examinations or alternative selection procedures;
- (d) Career development, staff training programmes, including inter-organization programmes, and evaluation of staff.

Article 15

The Commission shall make recommendations to the organizations on the development of common staff regulations.

Article 16

The Commission may, after appropriate consultations, make such recommendations to the organizations on other matters as it may consider necessary to achieve the purposes of the present statute.

Article 17

The Commission shall submit an annual report to the General Assembly, including information on the implementation of its decisions and recommendations. The report shall be transmitted to the governing organs of the other organizations, through their executive heads, and to staff representatives.

Article 18

1. The Commission shall establish policies and shall formulate guidelines with respect to all matters for which it has responsibility under this statute. In particular, it shall formulate recommendations under article 10 concerning the system of salaries and allowances and conditions of service; adopt the annual report under article 17; propose its budget estimates under article 21; and adopt its rules of procedure under article 29.

2. Within the aforesaid policies and guidelines, the Commission may delegate to its Chairman, Vice-Chairman or to any other member or members responsibility for carrying out specific functions under the statute other than those enumerated above. The Chairman, Vice-Chairman or the member or members concerned shall be responsible to the Commission for the discharge of the functions delegated to them and shall report to the Commission thereon.

CHAPTER IV. ADMINISTRATIVE, BUDGETARY AND FINANCIAL ARRANGEMENTS

Article 19

1. The conditions of service of the Chairman and the Vice-Chairman of the Commission shall be determined by the General Assembly.

2. Other members of the Commission shall be entitled only to travel and subsistence expenses in accordance with the rules established by the General Assembly for members of organs and subsidiary organs of the United Nations serving in their individual capacity.

Article 20

1. The Commission shall have a staff as provided in the budget approved by the General Assembly.

2. The staff, selected in accordance with the provisions of Article 101, paragraph 3, of the Charter of the United Nations, shall be appointed by the Secretary-General after consultation with the Chairman of the Commission and, as regards senior staff, with the Administrative Committee on Coordination. All staff shall be appointed after appropriate selection procedures. In carrying out their duties, they shall be responsible to the Chairman and shall be removable only after consultation with him or her.

3. Subject to paragraph 2 above, the staff of the Commission shall be regarded for administrative purposes as officials of the United Nations, which shall provide the necessary administrative facilities for them.

4. Within the relevant budgetary provisions, the Commission may employ such experts and auxiliary staff as it may deem necessary.

Article 21

1. The Secretary-General shall provide such office and conference facilities as the Commission may require.

2. The budget of the Commission shall be included in the regular budget of the United Nations. The budget estimates shall be established by the Secretary-General, after consultation with the Administrative Committee on Co-ordination on the basis of proposals by the Commission.

3. The expenditure on the Commission shall be shared by the organizations in a manner to be agreed by them.

Article 22

The seat of the Commission shall be New York, United States of America.

CHAPTER V. PROCEDURE

Article 23

1. The Commission shall meet at least once every year.

2. The meetings of the Commission shall be held in private.

Article 24

1. Recommendations of the Commission under article 10 shall be communicated by the Secretary-General of the United Nations to the executive heads of the other organizations.
2. The decisions taken thereon by the General Assembly shall be communicated by the Secretary-General to the executive heads of the other organizations for action under their constitutional procedures.
3. The executive head of each organization shall inform the Commission of all relevant decisions taken by the governing organ of his organization.
4. The recommendations under paragraph 1 above shall be communicated to staff representatives.

Article 25

1. Decisions of the Commission shall be promulgated under the signature of the Chairman and transmitted to the executive heads of the organizations concerned. If they affect the interests of the staff, they shall also be transmitted to staff representatives.
2. The organization concerned shall be notified of the principal reasons for each decision.
3. The decisions shall be applied by each organization concerned with effect from a date to be determined by the Commission.

Article 26

The Commission, in making its decisions and recommendations, and the executive heads, in applying them, shall do so without prejudice to the acquired rights of the staff under the staff regulations of the organizations concerned.

Article 27

The Commission may, with the approval of the General Assembly, establish subsidiary bodies for the purpose of carrying out particular tasks within its competence. The Commission may make arrangements with one or more of the organizations whereby they will carry out, on its behalf, functions of fact-finding and analysis.

Article 28

1. The Commission shall be given such information as it may require from the organizations for the consideration of any matter under examination by it. It may request from any organization or from staff representatives written information, estimates or suggestions in regard to such matters.
2. Executive heads of the organizations and staff representatives shall have the right, collectively or separately, to present facts and views on any matter within the competence of the Commission. The manner in which this right shall be exercised shall be set out, after consultations with executive heads and staff representatives in the rules of procedure established under article 29.

Article 29

Subject to the provisions of the present statute, the Commission shall establish its rules of procedure.

CHAPTER VI. OTHER PROVISIONS

Article 30

The present statute may be amended by the General Assembly. Amendments shall be subject to the same acceptance procedure as the present statute.

Article 31

1. An organization may not withdraw its acceptance of the statute unless it has given to the Secretary-General of the United Nations two years' notice of its intention to do so.

2. The Secretary-General shall bring any such notice to the attention of the General Assembly and, through the executive heads concerned, to that of the legislative organs of the other participating organizations.

RULES OF PROCEDURE¹

I. DEFINITIONS

Meaning of terms

Rule 1

For the purposes of these rules, the following terms shall have the indicated meanings:

- (a) "General Assembly" means the General Assembly of the United Nations;
- (b) "Statute" means the statute of the Commission, as adopted by the General Assembly;
- (c) "Participating organization" means an organization in respect of which the Commission performs functions pursuant to paragraph 2 of article 1 of the statute;
- (d) "Governing organ" means the General Assembly in respect of the United Nations and, in respect of each other participating organization, an organ designated by such organization;
- (e) "Executive head" means the chief administrative officer of a participating organization, as well as, for the purposes of rules 6, 36 and 37, the Administrator of the United Nations Development Programme, as appropriate;
- (f) "Staff representatives" means representatives of the staff of a participating organization recognized in accordance with the staff regulations and rules of the organization or, as the context may require, such representatives from several or from all participating organizations;
- (g) "Substantive determination" means a recommendation made or decision adopted pursuant to chapter III of the statute.

II. SESSIONS

Regular sessions

Rule 2

The Commission shall meet at least once a year in regular session, at such times as it determines.²

¹ As adopted by the Commission at its first session, May 1975, and amended at its twenty-fifth session in March 1987, at its forty-first session in 1995 and at its forty-eighth session in 1998; see also the note at the end of the rules.

² Based on art 23 (1) of the statute.

Special sessions

Rule 3

Special sessions shall be held:

- (a) By decision of the Commission;
- (b) By decision of the Chair;
- (c) Upon the request of the General Assembly.

Place of sessions

Rule 4

The sessions of the Commission shall be held at the Headquarters of the United Nations, unless it decides that a particular session be held elsewhere at the invitation of one of the participating organizations.

Notification of opening date of sessions

Rule 5

The Chair shall, through the Executive Secretary, notify the members of the Commission, the United Nations System Chief Executives Board for Coordination, the executive heads, the Federation of the International Civil Servants' Associations, the Coordinating Committee for International Staff Unions and Associations of the United Nations System, the United Nations International Civil Servants Federation, the staff representatives and the United Nations Joint Staff Pension Board of the date fixed for the opening of each session at least four weeks before the commencement of a regular session and at least two weeks before a special session.

III. AGENDA

Provisional agenda

Rule 6

1. Under the direction of the Chair, the Executive Secretary shall, in accordance with the statute and in consultation with the members of the Commission, representatives of the executive heads and staff representatives, draw up an annual proposed programme of work and the provisional agenda for each session, identifying the key issues, in order of priority, in a manner that ensures the greatest efficiency in the management of the agenda.

2. The provisional agenda for each regular session shall include all items required by these rules or proposed, not later than six weeks before the commencement of the session, by:

- (a) The General Assembly or any other governing organ;
- (b) The Commission;
- (c) The Chair or any other member of the Commission;
- (d) The United Nations System Chief Executives Board for Coordination;
- (e) Any executive head;
- (f) The Federation of International Civil Servants' Associations;

(g) The Coordinating Committee for International Staff Unions and Associations of the United Nations System;

(h) The United Nations International Civil Servants Federation;

(i) The staff representatives of any participating organization;

(j) The United Nations Joint Staff Pension Board.

3. The provisional agenda for a special session shall consist only of those items proposed for consideration in the decision or request for the holding of the session.

Supplementary items

Rule 7

Any member of the Commission may propose supplementary items to be included in the agenda for a regular session. The Executive Secretary shall place the supplementary items on a supplementary list.

Communication of provisional agenda and supplementary list

Rule 8

1. The secretariat shall consult with the members of the Commission and the representatives of the organizations and staff on all aspects of the information-gathering process, including the scope of the data and the methodologies to be used for their collection. On the basis of the available data, the secretariat, following full consultations with all parties mentioned above, shall prepare the documentation for the first session of each year. This is to be made available to the participants, in all languages, at least 10 working days before their consideration. Documents that have not met any of the above requirements will only be examined after taking into consideration any views of the Human Resources Network of the United Nations System Chief Executives Board for Coordination and the representatives of staff.

2. The Executive Secretary shall communicate the provisional agenda for each session and the documentation relating to items thereon to the members of the Commission at least four weeks before the commencement of a regular session and at least two weeks before a special session; such communication shall also be made to the United Nations System Chief Executives Board for Coordination, the executive heads, the Federation of International Civil Servants' Associations, the Coordinating Committee for International Staff Unions and Associations of the United Nations System, the United Nations International Civil Servants Federation; the staff representatives and, as far as relevant to it, the United Nations Joint Staff Pension Board. The Executive Secretary shall similarly communicate the supplementary list at least one week before the commencement of a session.

Adoption of the agenda

Rule 9

1. At the beginning of each session the Commission shall adopt the agenda for that session on the basis of the provisional agenda and the supplementary list.

2. During a session the Commission may revise the agenda by adding, deleting, deferring or amending items.

IV. OFFICERS AND COMMITTEES

Functions of the Chair and Vice-Chair

Rule 10

1. The Chair shall perform the functions assigned to him/her by the statute, by these rules or by the Commission.
2. The Vice-Chair shall perform the functions assigned to him/her by these rules or by the Commission, as well as those delegated to him/her by the Chair.

Acting Chair

Rule 11

1. If the Chair is unable to act, the Vice-Chair shall act as Chair.
2. If both the Chair and the Vice-Chair are unable to act, the Commission shall elect an Acting Chair.
3. The Vice-Chair acting as Chair or an Acting Chair shall have the powers and duties of the Chair.

Committees, subsidiary bodies and administrative arrangements

Rule 12

1. The Commission may establish committees and panels of its members.
2. Unless otherwise decided, for all key issues, the Commission shall establish joint working groups composed of members of the Commission, representatives of administrations and of staff bodies, at the first regular session of each year. Documents prepared by the secretariat following the procedures outlined in rule 8.1 above shall form the background from which the Commission and the representatives of the organizations and staff, and/or the working groups established by the Commission, shall address the issues on the agenda. The report of the working group and the documents submitted to it shall form the basis of the deliberations of the Commission in the decision-making process.
3. The Commission may, with the approval of the General Assembly, establish subsidiary bodies for the purpose of carrying out particular tasks.³
4. The Commission may make arrangements with one or more participating organizations whereby they will carry out, on its behalf, functions of fact-finding or analysis.³

³ See art. 27 of the statute

V. SECRETARIAT

Duties of the Executive Secretary

Rule 13

Subject to paragraph 1 of article 8 and to paragraph 2 of article 20 of the statute, the Executive Secretary shall be the chief administrative officer of the Commission. The Executive Secretary shall act in that capacity at all meetings of the Commission and its subsidiary bodies. He/she shall be responsible for all arrangements necessary for meetings and generally perform all work that the Commission may require.

Statements by the Executive Secretary

Rule 14

The Executive Secretary or any member of the staff designated by him/her may make oral or written statements on matters under consideration.

VI. LANGUAGES

Official and working languages

Rule 15

Arabic, Chinese, English, French, Russian and Spanish shall be the official languages and English and French the working languages of the Commission.

Interpretation

Rule 16

Speeches made in an official language shall be interpreted into the working languages, and into any other official language if any member so requests.

Languages of substantive determinations

Rule 17⁴

All substantive determinations of the Commission shall be made available in the official languages.

Languages of documentation

Rule 18

All documentation relating to matters before the Commission shall be made available in the working languages, and in any other official language if any member so requests.

⁴ See note on p. 22.

VII. RECORDS

Records of meetings

Rule 19

There shall be neither verbatim nor summary records of meetings.

Sound recordings

Rule 20

Sound recordings of the meetings of the Commission shall be made and kept by the Secretariat.

Such recordings may also be made and kept of the meetings of committees and subsidiary bodies if the Commission so decides.

Reports of sessions

Rule 21

1. The Executive Secretary shall prepare a draft report on the work of each session of the Commission, setting out, *inter alia*, any substantive determinations adopted by the Commission, as well as the principal reasons therefor, and the essence of the debates, which shall include the views of each party.
2. The draft report shall be submitted to the Commission for approval before the close of each session.
3. Any member of the Commission may submit his individual views in writing, which shall be annexed to the report.

Transmission of recommendations, decisions and reports

Rule 22

1. Recommendations and decisions of the Commission shall be promulgated under the signature of the Chair and transmitted to the executive heads and to the staff representatives concerned.⁵
2. The Commission shall submit to the General Assembly an annual report which shall include the background of the matter being recommended, a summary of the views expressed by all participants, the decisions and recommendations of the Commission and the reasons therefor, whether or not the decisions and recommendations were reached by consensus, and the positions adopted by the staff representatives and the Human Resources Network of the United Nations System Chief Executives Board for Coordination, where they differ from the conclusions of the Commission. The report shall also be transmitted to the other governing organs through the executive heads, as well as to the United Nations System Chief Executives Board for Coordination, the Federation of International Civil Servants' Associations, the Coordinating Committee for International Staff Unions and Associations of the United Nations System, the United Nations International Civil Servants Federation, the staff representatives and the United Nations Joint Staff Pension Board.⁶

⁵ Based on art. 25(1) of the statute.

⁶ Based on art. 17 of the statute.

VIII. CONDUCT OF BUSINESS

Quorum

Rule 23

The proceedings of the Commission shall be valid only if at least eight members are present.

Representation at meetings

Rule 24

No member may be represented by a substitute at meetings. Members attending meetings may not be accompanied by advisers or assistants.

General powers of the Chair

Rule 25

1. In addition to exercising the powers conferred upon him/her by the statute or rules, the Chair shall declare the opening and closing of each meeting of the Commission, direct the discussion, ensure observance of these rules, accord the right to speak, put questions to the vote and announce decisions. The Chair, subject to these rules, shall have complete control of the proceedings of the Commission and over the maintenance of order at its meetings. He/she shall rule on points of order. He/she may propose to the Commission the adjournment or closure of the debate and the suspension or adjournment of a meeting.

2. The Chair, in the exercise of his/her functions, remains under the authority of the Commission.

Points of order

Rule 26

1. Subject to rule 31, a member may at any time raise a point of order, which shall be immediately decided by the Chair in accordance with these rules. A member may appeal against the ruling of the Chair. The appeal shall be immediately put to the vote, and the ruling of the Chair shall stand unless overruled by a majority of those members casting an affirmative or negative vote.

2. A member may not, in raising a point of order, speak on the substance of the matter under discussion.

Motions

Rule 27

A member may present any of the following motions, which the Chair may put to the vote without debate and which shall have precedence in the indicated order over all proposals and other motions before the meeting:

(a) To suspend the meeting;

(b) To adjourn the meeting;

- (c) To adjourn the debate on the item under discussion;
- (d) To close the debate on the item under discussion.

Reconsideration of proposals

Rule 28

When a proposal has been adopted or rejected, it may not be reconsidered at the same session unless the Commission, by a two-thirds majority of those members casting an affirmative or negative vote, so decides.

IX. VOTING

Voting rights

Rule 29

Each member of the Commission shall have one vote.

Majority required

Rule 30

1. All decisions shall normally be reached by consensus. In the absence of a consensus at a meeting of the Commission, the Chair may, and at the request of any member shall, put the proposal to a vote.
2. When a vote is taken either at a meeting or as provided in rule 32, the adoption of a substantive determination, or of a decision to delegate a function pursuant to paragraph 2 of article 18 of the statute, shall require the affirmative vote of at least eight members. Except as provided in the statute or these rules, all other decisions shall be taken by a majority of those members casting an affirmative or negative vote.

Conduct during voting

Rule 31

The Chair shall announce the commencement of voting, after which no member shall be permitted to intervene until the result of the vote has been announced, except on a point of order in connection with the process of voting.

Voting without meeting

Rule 32

Whenever the Chair, after consultation with the Vice-Chair, considers that a decision on a particular question should not be postponed until the next regular session of the Commission and does not warrant the calling of a special session, the Executive Secretary shall transmit to each member, by any rapid means of communication, a motion embodying the proposed decision with a request for a vote. Votes shall be cast during such period as the Chair prescribes. At the expiration of the established period, or of any extended period the Chair may prescribe, the Executive Secretary shall record the results and notify the members. If the replies do not include those of at least eight members, the vote shall be considered as without effect.

Financial and administrative implications

Rule 33

1. Neither the Commission nor any member to whom a function has been delegated shall make a substantive determination, other than a routine revision of daily subsistence allowance rates or of the classification of duty stations for the purpose of applying post adjustments,⁷ before having sought the views of the executive heads of the participating organizations concerned on the financial and administrative implications of implementing that determination and having received a report of the Executive Secretary thereon. Each such request shall specify an appropriate time-limit for the receipt of responses.
2. Before taking any other decision that may require expenditure, the Commission or the members to whom a function has been delegated shall consider financial estimates prepared by the Executive Secretary.

X. PRIVACY OF MEETINGS

General principle

Rule 34

Subject to chapter XI of these rules, all meetings of the Commission and of its committees and subsidiary bodies shall be held in private.⁸

Executive meetings

Rule 35

When the Commission holds executive meetings, only members and the Executive Secretary, as well as members of the staff specially designated by him/her, may attend.

XI. PARTICIPATION BY NON-MEMBERS OF THE COMMISSION

Written statements

Rule 36⁹

1. The United Nations System Chief Executives Board for Coordination, the executive heads, the Federation of International Civil Servants' Associations, the Coordinating Committee for International Staff Unions and Associations of the United Nations System, the United Nations International Civil Servants Federation, the staff representatives and the United Nations Joint Staff Pension Board may submit written statements to the Commission on matters of concern to them, either at the request of the Commission or on their own initiative.

⁷ See clauses (b) and (c) of art. 11 of the statute.

⁸ Based on art. 23 (2) of the statute.

⁹ See note, p. 22.

2. On matters that concern the common system as a whole, written statements should, as far as possible, be submitted by the United Nations System Chief Executives Board for Coordination on behalf of the executive heads and by the Federation of International Civil Servants' Associations, the Coordinating Committee for International Staff Unions and Associations of the United Nations System and the United Nations International Civil Servants Federation on behalf of the staff representatives; an executive head or staff representatives may require that their separate views be attached to such statements. Similarly, on matters of local interest affecting more than one participating organization, the executive heads and the staff representatives concerned should, as far as possible, submit respective joint statements, attaching any separate views. These provisions shall not prejudice the right of the executive head or the staff representatives of any participating organization to submit written statements individually.

Participation in meetings and other appearances

Rule 37¹⁰

1. Unless otherwise decided in respect of a particular meeting or part thereof, representatives designated by the following may attend meetings and may address the Commission:

(a) Respectively the United Nations System Chief Executives Board for Coordination, the Federation of International Civil Servants' Associations, the Coordinating Committee for International Staff Unions and Associations of the United Nations System, and the United Nations International Civil Servants Federation on any matter on its agenda;

(b) Respectively the executive heads and the staff representatives of several participating organizations, each of these groups acting jointly, on matters of local interest affecting these organizations;

(c) Respectively the executive head and the staff representatives of a participating organization, on matters of particular interest to that organization:

(d) The United Nations Joint Staff Pension Board, on matters affecting pensions.

2. Representatives designated by an executive head or staff representatives may, at their request, be invited to attend meetings and to address the Commission on matters that concern the common system as a whole or that are of local interest to several participating organizations.

3. Such representatives may also, under arrangements to be made by the Executive Secretary at their request, appear before the Chair, Vice-Chair or any other member of the Commission to whom a function has been delegated pursuant to paragraph 2 of article 18 of the statute, and before any committee, panel or subsidiary body established under rule 12.

¹⁰ibid

Invitation to others

Rule 38

The Commission may invite any other person, entity, organ or organization to submit written statements or to participate in its meetings when the Commission considers that such participation would facilitate its work.

XII. AMENDMENT AND SUSPENSION OF RULES OF PROCEDURE

Amendment and suspension

Rule 39

These rules may be amended or suspended by the affirmative vote of at least eight members, provided that the amendment or suspension is in conformity with the statute, if twenty-four hours' notice of the proposal for amendment or suspension has been given, which may be waived if no member objects.

NOTE

In adopting its rules of procedure at its first session, the Commission approved comments on certain rules, which it decided should constitute authoritative interpretations of these rules. It amended these comments at its twenty-fifth session, to read as follows:

Rule 17: The text was adopted, with the understanding that the obligation to issue substantive determinations in the official languages of the Commission would not apply to routine decisions such as revisions of the schedules of daily subsistence rates and of classification of duty stations for the purpose of applying post adjustments, which would be issued in the working languages (English and French) but would be reported on globally in the Commission's annual report to the General Assembly (which would be issued in the six languages of the Assembly).

Rule 36: The Commission bore in mind the concern expressed by representatives of the executive heads and of the staff that paragraph 2 be not construed as limiting in any way the right recognized for executive heads and staff representatives under article 28 (2) of the statute to present facts or views individually to the Commission when they felt this to be necessary.

Rule 37: The text was approved, it being understood that the rule was adopted in the interest of organizing the Commission's proceedings with the maximum efficiency, but with respect for the spirit of the Commission's statute calling for the fullest possible consultation with executive heads and staff, and for the Commission's express desire for the widest participation in its work. It would therefore be interpreted in a liberal way.

ANNEX

Provisions of agreements between the United Nations and other participating organizations concerning coordination in personnel matters

The relevant provisions of the agreements, referred to in article 9 of the statute, concluded between the United Nations and the various organizations participating in the United Nations common system are reproduced below. These agreements were, in respect of the specialized agencies, concluded pursuant to articles 57 and 63 (1) of the Charter of the United Nations. References to other special agreements extending the jurisdiction of the United Nations Administrative Tribunal to most of these organizations for certain types of staff disputes are given in tables 1 and 2, which appear on pages 30 and 31.

INTERNATIONAL LABOUR ORGANIZATION (ILO)

Article XI – Personnel arrangements

1. The United Nations and the International Labour Organization recognize that the eventual development of a single unified international civil service is desirable from the standpoint of effective administrative coordination, and, with this end in view, agree to develop common personnel standards, methods and arrangements designed to avoid serious discrepancies in terms and conditions of employment, to avoid competition in recruitment of personnel, and to facilitate interchange of personnel in order to obtain the maximum benefit from their services.

2. The United Nations and the International Labour Organization agree to cooperate to the fullest extent possible in achieving these ends and in particular they agree to:

(a) Consult together concerning the establishment of an international civil service commission to advise on the means by which common standards of recruitment in the secretariats of the United Nations and of the specialized agencies may be ensured;

(b) Consult together concerning other matters relating to the employment of their officers and staff, including conditions of service, duration of appointments, classification, salary scales and allowances, retirement and pension rights and staff regulations and rules with a view to securing as much uniformity in these matters as shall be found practicable;

(c) Cooperate in the interchange of personnel, when desirable, on a temporary or permanent basis, making due provision for the retention of seniority and pension rights;

(d) Cooperate in the establishment and operation of suitable machinery for the settlement of disputes arising in connection with the employment of personnel and related matters.

FOOD AND AGRICULTURE ORGANIZATION (FAO)

Article XI^a

UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION
(UNESCO)

Article XIII^a

INTERNATIONAL CIVIL AVIATION ORGANIZATION (ICAO)

Article XII^a

WORLD HEALTH ORGANIZATION (WHO)

Article XII^a

INTERNATIONAL MARITIME ORGANIZATION (IMO)

Article X^a

UNIVERSAL POSTAL UNION (UPU)

Article VII – Personnel arrangements

The United Nations and the Union agree to cooperate as necessary to ensure as much uniformity as possible in the conditions of employment of personnel, and to avoid competition in the recruitment of personnel.

INTERNATIONAL TELECOMMUNICATION UNION (ITU)

Article VIII – Personnel arrangements

1. The United Nations and the Union agree to develop, as far as is practicable, common personnel standards, methods and arrangements designed to avoid serious discrepancies in terms and conditions of employment, to avoid competition in recruitment of personnel, and to facilitate any mutually desirable interchange of personnel in order to obtain the maximum benefit from their services.

2. The United Nations and the Union agree to cooperate to the fullest extent possible in achieving these ends.

^a The titles and texts of the articles are the same, *mutatis mutandis*, as those of the corresponding article in the agreement with the International Labour Organization.

WORLD METEOROLOGICAL ORGANIZATION (WMO)

Article IX – Personnel arrangements

1. The United Nations and the Organization agree to develop as far as practicable common personnel standards, methods and arrangements designed to avoid serious discrepancies in terms and conditions of employment, to avoid competition in recruitment of personnel, and to facilitate any mutually desirable interchange of personnel in order to obtain the maximum benefit from their services.

2. The United Nations and the Organization agree to cooperate to the fullest extent possible in achieving these ends and to consult in regard to the participation of the Organization in the work of the International Civil Service Advisory Board and the United Nations Joint Staff Pension Fund.

3. The United Nations and the Organization agree further to consult as to the desirability of concluding a special agreement extending the competence of the United Nations Administrative Tribunal to the Organization.

WORLD INTELLECTUAL PROPERTY ORGANIZATION (WIPO)

Article 15 – Personnel arrangements

(a) The United Nations and the Organization agree to develop, in the interests of uniform standards of international employment and to the extent feasible, common personnel standards, methods and arrangements designed to avoid unjustified differences in terms and conditions of employment, to avoid competition in recruitment of personnel, and to facilitate any mutually desirable and beneficial interchange of personnel.

(b) The United Nations and the Organization agree:

(i) To consult together from time to time concerning matters of common interest relating to the terms and conditions of employment of the officers and staff, with a view to securing as much uniformity in these matters as may be feasible;

(ii) To cooperate in the interchange of personnel when desirable, on a temporary or a permanent basis, making due provision for the retention of seniority and pension rights;

(iii) To cooperate, on such terms and conditions as may be agreed, in the operation of a common pension fund;

(iv) To cooperate in the establishment and operation of suitable machinery for the settlement of disputes arising in connection with the employment of personnel and related matters.

(c) The terms and conditions on which any facilities or services of the Organization or the United Nations in connection with the matters referred to in this article are to be extended to the other shall, where necessary, be the subject of subsidiary agreements concluded for this purpose after the entry into force of this Agreement.

INTERNATIONAL FUND FOR AGRICULTURAL DEVELOPMENT (IFAD)

Article IX – Personnel arrangements

1. The Fund agrees to cooperate with the International Civil Service Commission on matters concerning the regulation and coordination of the conditions of service of staff^b

2. The United Nations and the Fund agree:

(a) To consult together concerning matters of mutual interest relating to the employment of staff, with a view to securing as much uniformity in these matters as may be feasible;

(b) To cooperate in the interchange of staff when desirable, on a temporary or permanent basis;

(c) That the Fund may participate in the United Nations Joint Staff Pension Fund in accordance with the Regulations of the Pension Fund.

3. The terms and conditions on which any facilities or services of the United Nations or the Fund in connection with the matters referred to in the present article are to be extended to the other shall, where necessary, be the subject of subsidiary agreements concluded for this purpose.

^b At its first session (14-15 December 1977) the Executive Board of IFAD discussed the subject in the light of its documents EB 77/L.3 and Add.1 and General Assembly resolution 32/102. After discussing various proposals at length, the Board:

(a) Approved the provisional use of the Personnel Policies Manual recommended by the Preparatory Commission, provided that, in respect of matters not covered by the Manual, the corresponding provisions of the United Nations Staff Regulations and Rules shall be referred to;

(b) Approved the adoption of the United Nations common system for determining the initial salary structure of the staff of the Fund;

(c) Authorized the President to initiate discussions with the Chair of the International Civil Service Commission to secure a certain degree of flexibility within the common system, required for a new financing institution with a small staff;

(d) Requested the President to submit a report on the implementation of these decisions to the next session of the Executive Board, including any explanation for any deviations from the common system that may be required, to enable the Executive Board to take final decisions on this subject.

At its third session (24-27 October 1978) the Executive Board considered a number of remaining issues and the President of IFAD stated that he would be justified in accepting the statute of the International Civil Service Commission, as urged by the General Assembly in its resolution 32/102, once the remaining issues had been satisfactorily resolved. He therefore proposed to submit a further progress report to the Executive Board at a later session. The Executive Board took note of this proposal.

UNITED NATIONS INDUSTRIAL DEVELOPMENT ORGANIZATION (UNIDO)

Article 16 – Personnel arrangements

(a) The United Nations and the Organization agree to develop, in the interests of uniform standards of international employment and to the extent feasible, common personnel standards, methods and arrangements designed to avoid unjustified differences in terms and conditions of employment, to avoid competition in recruitment of personnel, and to facilitate any mutually desirable and beneficial interchange of personnel. For this purpose the Organization agrees to accept the statute of the International Civil Service Commission.

(b) The United Nations and the Organization agree:

(i) To consult together from time to time concerning matters of mutual interest relating to the terms and conditions of employment of the officers and staff, with a view to securing as much uniformity in these matters as may be feasible;

(ii) To cooperate in the interchange of personnel when desirable, on a temporary or a permanent basis, making due provision for the retention of seniority and pension rights;

(iii) That the Organization shall participate in the United Nations Joint Staff Pension Fund in accordance with the Regulations of the Fund and shall accept the jurisdiction of the United Nations Administrative Tribunal in matters involving applications alleging nonobservance of these Regulations;

(iv) To cooperate with the agencies in the United Nations system in the establishment and operation of suitable machinery for the settlement of disputes arising in connection with the employment of personnel and related matters.

(c) The United Nations and the Organization agree to cooperate fully in ensuring that, to the extent possible, all members of the staff of the United Nations who were assigned to the United Nations Industrial Development Organization when it was a United Nations organ should be offered appointments by the Organization that preserve their acquired rights and contractual status.

(d) The terms and conditions under which any facilities or services of the Organization or the United Nations in connection with the matters referred to in this article are to be extended to the other shall, where necessary, be the subject of complementary agreements concluded for this purpose.

INTERNATIONAL ATOMIC ENERGY AGENCY (IAEA)

Article XVIII – Personnel arrangements

1. The United Nations and the Agency agree to develop, in the interests of uniform standards of international employment and to the extent feasible, common personnel standards, methods and arrangements designed to avoid unjustified differences in terms and conditions of employment, to avoid competition in recruitment of personnel, and to facilitate interchange of personnel in order to obtain the maximum benefit from their services.

2. The United Nations and the Agency agree:

(a) To consult together from time to time concerning matters of common interest relating to the terms and conditions of employment of the officers and staff with a view to securing as much uniformity in these matters as may be feasible;

(b) To cooperate in the interchange of personnel, when desirable, on a temporary or a permanent basis, making due provision for the retention of seniority and pension rights;

(c) To cooperate, on such terms and conditions as may be agreed, in the operation of a common pension fund;

(d) To cooperate in the establishment and operation of suitable machinery for the settlement of disputes arising in connection with the employment of personnel and related matters.

3. The terms and conditions on which any facilities or services of the Agency or the United Nations in connection with the matters referred to in this article are to be extended to the other shall, where necessary, be the subject of subsidiary agreements concluded for this purpose after the entry into force of this agreement.

OTHER ORGANIZATIONS:

The following other organizations advised that their governing body had accepted the Statute of the ICSC and became member organizations of the common system:

- (a) World Tourism Organization (UNWTO)
- (b) International Seabed Authority (ISA)
- (c) International Tribunal for the Law of the Sea (ITLOS)
- (d) Comprehensive Nuclear-Test-Ban Treaty Organization (CTBTO)

The following organizations are all specialized agencies pursuant to relationship agreements concluded with the United Nations. However, these agreements do not provide that the organizations apply common personnel standards and they do not participate in the common system:

- (a) International Monetary Fund (IMF),
- (b) International Bank for Reconstruction and Development (IBRD), “World Bank”,
- (c) International Finance Corporation (IFC),
- (d) International Development Association (IDA).

TABLE 1: SPECIALIZED AND RELATED AGENCIES PARTICIPATING IN THE UNITED NATIONS COMMON SYSTEM
(2022)

Organization	Specialized agency	Entry into force	Relationship agreement					Administrative Tribunal					
			Citation United Nations			United Nations Series		UNJSPF disputes			Disputes other than UNJSPF		
			Vol.	Page	Personnel arrangements article	Acceptance of ICSC statute	United Nations Joint Staff Pension Fund participation	Treaty Series		Treaty Series			
								Vol.	Page	Vol.	Page		
ILO	Yes	14 Dec. 1946	1	186	XI	16 Apr. 1975	Yes	UNAT	214	388	ILOAT	-	-
FAO	Yes	14 Dec. 1946	1	212	XI	20 Mar 1975	Yes	UNAT	219	388	ILOAT	-	-
UNESCO	Yes	14 Dec. 1946	1	238	XIII	17 June 1975	Yes	UNAT	219	392	ILOAT	-	-
ICAO	Yes	13 May 1947	8	324	XII	2 Dec. 1975	Yes	UNAT	219	396	UNAT	399	306
WHO	Yes	10 July 1948	19	194	XII	4 July 1975	Yes	UNAT	394	334	ILOAT	-	-
IMO	Yes	13 Jan. 1959	327	309	X	13 June 1975	Yes	UNAT	489	358	UNAT	489	358
UPU	Yes	1 July 1948	19	220	VII	21 May 1975	No	n.a.	n.a.	n.a.	UNAT	-	-
ITU	Yes	1 Jan. 1949	30	316	VIII	16 June 1975	Yes	UNAT	670	368	ILOAT	-	-
WMO	Yes	20 Dec. 1951	123	246	IX	16 June 1975	Yes	UNAT	429	310	UNAT	-	-
WIPO	Yes	17 Dec. 1974	956	405	15	6 Oct. 1975	Yes	UNAT	Reg. No. II-839		ILOAT	-	-
IFAD	Yes	15 Dec. 1977	1080	334	IX	*	Yes	UNAT	Reg. No. II-857		UNAT	-	-
UNIDO	Yes	17 Dec. 1985	(G.A. Res. 40/180)		16	1 Jan. 1986	Yes	UNAT	Reg. No. II-		ILOAT	-	-
IAEA	No	14 Nov. 1957	281	369	XVIII	6 July 1979	Yes	UNAT	480	484	ILOAT	-	-
UNWTO	Yes	23 Dec. 2013	Reg. No. II-1378		16	11 Mar. 2004	Yes	UNAT	1920	411	ILOAT	-	-
ISA	Yes	14 Mar. 1997	1967	256	11	1 Jan. 2013	Yes	UNAT	2209	455	UNAT	-	-
ITLOS	Yes	18 Dec. 1997	(G.A. Res. 51/34)		6	1 Jan. 2016	Yes	UNAT	2006	493	UNAT	-	-
CTBTO	Yes	26 May 2000	(G.A. Res. 50/65)		X	1 Jan. 2017	Yes	UNAT	-	-	ILOAT	-	-

* See note (b) on p. 26.

TABLE 2. MEMBERS OF UNITED NATIONS JOINT PENSION FUND NOT PARTICIPATING IN THE UNITED NATIONS COMMON SYSTEM
(JUNE 2016)

<i>Organization</i>	<i>Specialized agency</i>	<i>Entry into force</i>	<i>Relationship agreement</i>			<i>UNJSPF participation</i>	<i>Administrative Tribunal</i>		
			<i>Vol.</i>	<i>Page</i>	<i>Citation United Nations Treaty Series</i>		<i>UNJSPF disputes</i>	<i>Vol.</i>	<i>Page</i>
EPPO ^a	No	-	-	-	-	Yes	-	-	ILOAT
ICCROM ^b	No	-	-	-	-	Yes	UNAT	Reg.No.II-900	ILOAT
ICGEB ^c	No	-	-	-	-	Yes	1917	393	ILOAT
ICC ^d	No	4 Oct. 2004	2283	195	8	Yes	UNAT	-	ILOAT
IOM ^e	Yes	-	A/RES/70/296		10	Yes	UNAT	-	ILOAT
Special Tribunal for Lebanon	No	-	-	-	-	Yes	UNAT	-	-
IPU ^f	No	-	-	-	-	Yes	UNAT	-	ILOAT
Wassenaar Arr ^g	No	-	-	-	-	Yes	UNAT	-	Board

^a European and Mediterranean Plant Protection Organization.

^b International Centre for the Study of the Preservation and the Restoration of Cultural Property.

^c International Centre for Genetic Engineering and Biotechnology.

^d International Criminal Court.

^e International Organization for Migration.

^f Inter-Parliamentary Union.

^g Wassenaar Arrangement on Export Controls for Conventional Arms and Dual-use Goods and Technologies

TABLE 3. SPECIALIZED AGENCIES NOT PARTICIPATING IN THE UNITED NATIONS COMMON SYSTEM
(2022)

<i>Relationship agreement</i>								
<i>Citation United Nations Treaty Series</i>					<i>Administrative Tribunal</i>			
<i>Organization</i>	<i>Specialized agency</i>	<i>Entry into force</i>	<i>Vol.</i>	<i>Page</i>	<i>Personnel arrangements article</i>	<i>Pension arrangements</i>	<i>Pension Fund disputes</i>	<i>Non-Pension Fund disputes</i>
IMF	Yes	15 Nov. 1947	16	328	None	IMF Staff Ret. Plan	IMFAT	IMFAT
IBRD	Yes	15 Nov. 1947	16	346	None	IBRD Staff Ret. Plan	WBAT	WBAT
IFC	Yes	20 Feb. 1957	265	313	None	IBRD Staff Ret. Plan	WBAT	WBAT
IDA	Yes	27 Mar. 1961	394	221	None	IBRD Staff Ret. Plan	WBAT	WBAT

