

# GENERAL AGREEMENT ON TARIFFS AND TRADE

RESTRICTED

Spec(75)19

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## ADMINISTRATIVE AND FINANCIAL QUESTIONS

### International Civil Service Commission

#### Note by the Director-General

1. After several years' study, the General Assembly of the United Nations decided at its twenty-ninth session on 17 December 1974 to set up an International Civil Service Commission. Under its statute (Annex I) the principal functions of the Commission relate to the establishment of conditions of service of staff, recommendations to the UN General Assembly on salary scales, post adjustment and allowances and determination and establishment of such allowances not requiring General Assembly approval. The Commission is also required to establish job classification standards and to make recommendations on standards of recruitment.
2. The Commission has been appointed by the United Nations General Assembly and the names of the fifteen members, two of whom are full-time, are given in Annex II. Although Geneva was considered earlier, the General Assembly has decided that the seat of the Commission shall be New York.
3. Organizations which have accepted the statute of the Commission in accordance with Article I of the statute are as follows: International Labour Office (ILO), Food and Agriculture Organization of the United Nations (FAO), Universal Postal Union (UPU), World Meteorological Organization (WMO), Inter-Governmental Maritime Consultative Organization (IMCO), International Telecommunication Union (ITU), World Health Organization (WHO) and United Nations Educational, Scientific and Cultural Organization (UNESCO).
4. At its first session in New York in May 1975 the Commission agreed on its rules of procedure and considered its future work programme. At its meeting in Geneva in August 1975 the Commission was primarily concerned with the first stage of its review of the UN salary system which it was requested to undertake by the UN General Assembly. It also considered a request from the Administrative Committee on Co-ordination (ACC) that the Commission examine urgently in the context of the post adjustment system on ACC proposal designed to bring relief to staff who have been most adversely affected by changes in exchange rates.
5. The powers referred to in paragraph 1 above are considerably wider than those of any previous UN organs. The Commission will decide, in fact, on a number of issues (all allowances and benefits other than those dependent on the General Assembly) which previously were subject to decisions by the Secretary-General of the United Nations and the Executive Heads of the other organizations applying the so-called UN Common System.

6. So long as GATT continues to apply the UN staff rules and regulations<sup>1</sup> it will, even without formally accepting the statute of the Commission, be bound to apply all recommendations of the Commission approved by the UN General Assembly. As pointed out above, certain other functions of the Commission will result in derogation of the decision making from Executive Heads to the Commission. Furthermore, acceptance of the statute will also limit the ability of the CONTRACTING PARTIES to establish their own conditions of service for staff.

7. GATT has been assessed and requested to pay its share of the Commission's budget. The budget for the first year amounts to \$615,204 and the GATT share amounts to \$4,876. No payment has yet been made but authority is sought for GATT to pay its assessment provisionally until a final decision is made concerning GATT's relationship with the Commission.

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<sup>1</sup>A decision to this effect was taken on 13 December 1970 (C/M/65).

ANNEX I

Statute of the International Civil Service Commission

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 which 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.

ANNEX I (cont'd)

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 aim at the development of a single unified international civil service through the application of common personnel standards, methods and arrangements.

ANNEX I (cont'd)

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 scales of salaries and post adjustments for staff in the Professional and higher categories;
- (c) Allowances and benefits of staff which are determined by the General Assembly;<sup>8</sup>
- (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 classification of duty stations for the purpose of applying post adjustments.

Article 12

1. At the headquarters of 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.

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<sup>8</sup> Dependency allowances and language incentives for staff in the Professional and higher categories, education grant, home leave, repatriation grant and termination indemnity.

ANNEX I (cont'd)

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.

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 organisation 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.

ANNEX I (cont'd)

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 Co-ordination. 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.

ANNEX I (cont'd)

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.



ANNEX I (cont'd)

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.

ANNEX II

LIST OF MEMBERS OF THE  
INTERNATIONAL CIVIL SERVICE COMMISSION

1. The following list gives the members of the International Civil Service Commission appointed by the General Assembly of the United Nations at its twenty-ninth session, together with their nationality and the duration of office which, except for the Chairman and Vice-Chairman, was determined by the drawing of lots.

		<u>Nationality</u>	<u>Duration</u>
<u>Chairman</u>	Mr Raul A. Quijano	Argentina	4 years
<u>Vice-Chairman</u>	Mr A. L. Adu	Ghana	"
	Mr Pascal Frochaux	Switzerland	"
	Mr Jiri Nosek	Czechoslovakia	"
	Mr A. Thiam	Senegal	"
	Mr Toru Haguiwara	Japan	3 years
	Mr Robert E. Hampton	United States of America	"
	Mr A. H. M. Hillis	United Kingdom of Great Britain and Northern Ireland	"
	Mr A. F. Pimentel	Brazil	"
	Mr Jean Louis Plihon	France	"
	Mr Amjad Ali	Pakistan	2 years
	Mr Michael Ani	Nigeria	"
	Mr A. S. Chistyakov	Union of Soviet Socialist Republics	"
	Mr P. N. Haksar	India	"
	Mrs Halima Warzazi	Morocco	"