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Educational, Scientific and
Cultural Organization

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Item 3 of the provisional agenda

PROPOSED AMENDMENT TO RULE 59 OF THE RULES OF PROCEDURE OF THE EXECUTIVE BOARD

SUMMARY

This item has been included in the provisional agenda of the 200th session of the Executive Board at the request of the Director-General.

An explanatory note, together with a proposed decision, is attached hereto.

Action expected of the Executive Board: proposed decision in paragraph 5.



EXPLANATORY NOTE

1. The Organization has been in a reform process over the last years in order to achieve greater transparency, accountability and efficiency in its methods of work as well as greater alignment to the United Nations System-wide policies, practices and procedures. The Secretariat, which is committed to spearheading this reform process, has achieved progress in a number of areas, notably in terms of reporting to Members States, evaluations, ethics and results-based management, to name a few.

2. In the early years of the Organization, senior appointments to the Secretariat were not discussed in private meetings and the rule on consultations on nominations to senior posts, in a private session, was introduced in 1966 (72 EX/Decision 9.2). In 1999, the Executive Board decided to amend that rule of procedure whereby the Director-General shall inform the Board on such appointments (156 EX/Decision 5.5 (6.B)).

3. It is proposed to align UNESCO's policy and practice with those of most of the other organizations of the United Nations System whereby the latter only consult/inform their governing bodies on the appointment or termination of certain selected senior level posts. In most organizations, consultations are only required for the head of the oversight function given its independent nature. However, considering that in the case of UNESCO, following the adoption of 38 C/Decision 87¹ which states that "The Director-General shall take decisions concerning the appointment, extension, renewal and termination of appointment of the Organization's Legal Adviser, Ethics Adviser² and Director of the Internal Oversight Service (IOS)³ in consultation with the Executive Board", it is proposed that the Director-General no longer submits for information to the Executive Board "every appointment, promotion or renewal of a contract of officials at the D-1 level and above" but only consults the Executive Board, in private meeting, concerning these three functions. It should be recalled that all appointments to senior posts of the Secretariat follow a transparent selection process. Moreover, all appointments to posts of D-1 and above level are announced by way of the issuance of a Director-General's Note which is published on the UNESCO Intranet as well as on the dedicated Member States web site.

4. In light of the above, it is therefore proposed to amend, in accordance with Rule 66 of the Rules of Procedure of the Executive Board, paragraph 1 of Rule 59, "Appointments to the Secretariat and consultations on its structure", to read as follows:

- "1. The Director-General shall consult the Executive Board, in a private meeting, of the appointment, extension, renewal or termination of the posts of the Organization's Legal Adviser, Ethics Adviser and Director of the Internal Oversight Service (IOS)."

Proposed decision

5. The Executive Board may wish to adopt the following draft decision:

The Executive Board,

1. Having examined document 200 EX/3 Part II,
2. Decides to amend Rule 59, paragraph 1, of the Rules of Procedure of the Executive Board to read as follows:

- "1. The Director-General shall consult the Executive Board, in a private meeting, of the appointment, extension, renewal or termination of the posts of the Organization's Legal Adviser, Ethics Adviser and Director of the Internal Oversight Service (IOS)."

¹ cf. 38 C/Resolution 87

² As per 191 EX/Decision IV. 4 (c), fixed-term appointment to this post is for a period of 4 years, with no further possibility of extension.

³ As per 194 EX/Decision 3.2., fixed-term appointment to this post is for a period of 6 years with no further possibility of employment in the Organization.