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## JOINT MEETING

**Joint Meeting of the Hundred and Twentieth Session  
of the Programme Committee and Hundred and Sixty-fourth Session of the  
Finance Committee**

**Rome, 7 November 2016**

**Procedure for the selection and appointment of Secretaries of Article XIV  
bodies and of other entities hosted in FAO**

*Queries on the substantive content of this document may be addressed to:*

Mr Antonio Tavares  
Legal Counsel  
Legal and Ethics Office  
Tel. +39 (06) 570-55132

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### **Executive Summary**

This document briefly reviews the status of bodies under Article XIV of the Constitution, the question at issue, the experience gained in the implementation of election processes and their shortcomings. The Organization proposes an alternative procedure, which is consistent with the practice followed in other organizations of the United Nations System, including the United Nations itself. This matter is being referred to the Committee on Constitutional and Legal Matters (CCLM) and to the Joint Meeting of the Programme and Finance Committees. The outcome of the review by the CCLM is presented in a separate information note.

### **Suggested action by the Joint Meeting**

The Joint Meeting is invited to review this document and make such observations and comments thereon as it considers appropriate.

- a) In particular, the Joint Meeting is invited, in light of the foregoing considerations, to express its views on the proposal that the Executive Secretaries or heads of bodies under Article XIV be selected through standard procedures for the appointment of senior staff, subject to subsequent approval by the body concerned. In the case of other entities hosted within FAO, existing procedures do not foresee approval of the governance structures of those entities
- b) formulate any further guidance on the matter as may be deemed necessary for review and consideration by the Council.

## I. Background

1. Three treaties establishing bodies under Article XIV of the Constitution of FAO provide that their Secretaries shall be appointed by the Director-General, with the approval of the bodies concerned<sup>1</sup>. A practice has developed by which this clause has been implemented through the election of a candidate by the Members of the body concerned, with no, or very limited, involvement of the FAO Secretariat. The elected candidate has been subsequently referred to the Director-General for appointment.
2. While this practice has been followed for a number of years, it is the considered view of the Organization that it should be reassessed. It does not seem to be in line with the ordinary meaning of the provisions of the treaties, which simply provide that the secretaries “are appointed by the Director-General with the approval of the body concerned”<sup>2</sup>, and do not call, anywhere, for the conduct of an election. It is also noted that such election procedures do not exist in the United Nations System for staff selection in respect of similar bodies.
3. In addition, an election procedure is wholly inappropriate for what is, and should remain, a professional appointment. The unsuitability of this process has been confirmed by experience. This experience has revealed significant shortcomings, resulting in reputational risks and potential liabilities for the Organization and its Members.
4. This document briefly reviews the status of bodies under Article XIV of the Constitution, the question at issue, the experience gained in the implementation of election processes and their shortcomings. The Organization proposes an alternative procedure, which is consistent with the practice followed in other organizations of the United Nations System, including the United Nations itself.

## II. General Status of Bodies under Article XIV of the Constitution

5. The status of bodies under Article XIV of the Constitution (“Article XIV bodies”) has been under review by some Governing Bodies in FAO. These are treaties negotiated within the Organization and adopted by the Conference or Council, depending on whether they have worldwide or regional scope.
6. In the past, concerns were expressed regarding a lack of clarity in the relationship between Article XIV bodies and FAO. In particular, the extent of the responsibilities of FAO and of its Members vis-à-vis those bodies were, at times, considered to be unclear. It is unlikely that there could be a conclusive position on this issue insofar as each treaty is the result of a negotiation process and may have specific distinct features. The FAO Conference in 1957 adopted “Principles and Procedures which should Govern Conventions and Agreements Concluded under Articles XIV and XV of the Constitution, and Commission and Committees Established under Article VI of the Constitution” (“the Principles”). In general, there has been recognition that bodies established by treaty under Article XIV of the Constitution should enjoy a measure of functional and operational autonomy, allowing them to attain their statutory objectives.

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<sup>1</sup> The Agreement establishing the Indian Ocean Tuna Commission, the Agreement establishing the General Fisheries Commission for the Mediterranean and the International Treaty on Plant Genetic Resources for Food and Agriculture. There are 17 treaties concluded under Article XIV of the FAO Constitution. A list of those agreements may be found under the following link. <http://www.fao.org/legal/treaties/treaties-under-article-xiv/en/>

<sup>2</sup> Basic Texts, Volume 2, Part O, paragraph 32 iii

7. However, irrespective of their functional characteristics, Article XIV bodies remain very closely associated with FAO and this is so in many respects. In general, they operate under the framework of FAO and commit the Organization in all their activities. There are many manifestations of this situation:

- a) As confirmed by the Council of FAO<sup>3</sup>, their constituent instruments do not vest the Article XIV bodies with legal personality, i.e. the capacity to enjoy rights and assume obligations of their own and, therefore, they have to act through FAO or draw on the legal capacity of FAO.
- b) Article XIV agreements are negotiated and concluded within FAO, in accordance with procedures set forth in the Constitution, the General Rules of the Organization and the above-mentioned Principles. Membership is open only to Members of the Organization or to Members of the United Nations, any of its Specialized Agencies or the International Atomic Energy Agency, as set out in the Constitution and in the General Rules of the Organization.
- c) These bodies may adopt and amend their Rules of Procedures and Financial Regulations, but these must be consistent with the general institutional framework of the Organization. In general, they operate under, and in accordance with, the general policies of the Organization.
- d) Any contributions, donations or assistance received are administered in accordance with the financial rules and procedures of the Organization and all financial and administrative transactions are carried out through the accounts of the Organization. FAO is accountable to donors for the management and use of any contributions received.
- e) Any amendments to the constituent agreements must be reported to the Council or the Conference, which have the power to disallow them if they find that the amendments are inconsistent with the objectives and purposes of FAO or the provisions of the Constitution.
- f) Staff of Article XIV bodies are officials of FAO appointed by the Director-General and are subject to the Staff Regulations and Rules of the Organization, as well as to the authority of the Director-General, notwithstanding autonomy which they may enjoy in functional and technical matters. Similarly, other personnel employed for such bodies are recruited by the Organization, and in accordance with its rules and procedures.
- g) Any grievances which staff may allege in connection with their terms and conditions of employment are referred to the FAO Appeals Committee and the Administrative Tribunal of the International Labour Organization, where FAO is the respondent party and the Director-General its legal representative.
- h) Similarly, it is FAO, and the Director-General as its legal representative, that would have to address any liabilities arising from the activities of Article XIV bodies, for instance, in connection with arbitration proceedings which could be brought against those bodies. The privileges and immunities enjoyed by Article XIV bodies and their personnel are the privileges and immunities of the Organization, as foreseen in the FAO Constitution, the Convention on the Privileges and Immunities of the Specialized Agencies and such additional agreements as may be concluded (for example, bilaterally by FAO with individual Members).

8. Thus, while Article XIV bodies may enjoy a variable measure of functional autonomy for the purpose of discharging the programme of work approved by those bodies, administratively they are fully integrated with and in FAO.

9. It is essential to keep these considerations in mind when considering the procedures for the selection and appointment of the Executive Secretary of an Article XIV body.

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<sup>3</sup> CL127, paragraph 90.

### III. Selection and Appointment of Executive Secretaries

10. As mentioned above, the 9<sup>th</sup> Session of the Conference of FAO in 1957 adopted the Principles. While these Principles might need updating, they remain, by and large, a general point of reference.

11. Paragraphs 32 and 33 of the Principles concern the appointment of Secretaries. Paragraph 33 indicates that *“bodies established under Article XIV of the Constitution may fall into one of the three following categories (a) bodies entirely financed by the Organization; (b) bodies that, in addition to being financed by the Organization, may undertake cooperative projects financed by members or the body and (c) bodies that, in addition to being financed by the Organization, have autonomous budgets”*. Paragraph 32 provides that the *“statutes of bodies established under Article VI of the Constitution and the basic texts of bodies established under Article XIV of the Constitution shall specify that ... iii. the Secretary of each body shall be appointed by the Director-General and shall be administratively responsible to him. In the case of bodies referred to in paragraph 33 (c), the basic texts may specify that the Secretary shall be appointed by the Director-General after consultation with, or with the approval or concurrence of, the members of the body concerned”*.

12. As also mentioned above, three treaties concluded under Article XIV of the FAO Constitution establish that the Executive Secretary will be appointed by the Director-General with the approval of the body concerned: the Agreement establishing the Indian Ocean Tuna Commission, the Agreement establishing the General Fisheries Commission for the Mediterranean, as amended, and the International Treaty on Plant Genetic Resources for Food and Agriculture. Through a practice initiated by the Indian Ocean Tuna Commission, the implementation of these provisions has evolved - with slight variations - to result in electoral processes. In one of the cases, the election is conducted by the Members without any involvement whatsoever of the FAO Secretariat, with the Director-General being merely asked to appoint the elected candidate. In the other cases, the FAO Secretariat is residually involved in the process but the Members elect a candidate that the Director-General is required to appoint. The Organization believes that there are major shortcomings with these procedures as evidenced by a number of issues that have recently arisen.

### IV. Issues that have Arisen in Connection with Officials of Article XIV Bodies

13. FAO's experience has revealed shortcomings of three different natures arising from the current mode of selection of secretaries of Article XIV bodies: (a) systemic and programmatic shortcomings, (b) issues related to the personal conduct of a secretary and (c) undesirable politicization of the secretariats.

14. As regards item (a) above, it is recognized that Article XIV bodies have a “life of their own” and pursue their statutory objectives. However, they are placed under the framework of FAO and support the achievement of the Strategic Objectives of the Organization. In fact, it was because it was considered desirable to achieve synergies between the activities of these bodies and those of the Organization at large that they were established under the framework of FAO. However, an election procedure, which results in the secretaries prioritizing their accountability to those who elected them, inherently contradicts this objective and, in fact, encourages a silo approach to work and a lack of appropriate coordination and dialogue on matters of significant relevance to the programme and objectives of the Organization. There are many manifestations of this undesirable situation, both on programmatic matters and in the day-to-day administrative operations of the bodies.

15. With respect to item (b) above, the Organization has been recently confronted with difficulties in addressing a situation of unsatisfactory conduct, where a FAO staff member had acted in breach of the standards of conduct and integrity required from any international civil servant. Following allegations from the region concerned, an investigation carried out by the Office of the Inspector-General of FAO concluded that there had been an undisclosed conflict of interest, insofar as the spouse of the Executive Secretary of a regional Article XIV body was involved in the operation of a commercial company dealing with matters within the purview of the relevant Article XIV Agreement. This resulted in a perception of confusion between the private affairs of the Executive Secretary and that individual's family and the official business of the Article XIV body. It was also established that

the Secretary had used the official resources of the Article XIV body for personal advantage. This was a source of embarrassment for a number of parties, including FAO.

16. Disciplinary proceedings were initiated and the staff member was eventually allowed to resign. However, the authority of the Director-General to initiate disciplinary action against an elected staff member was the subject of discussions and resulted in delays in the process to address the embarrassing situation. In addition, while the selection of the staff member had been made without any involvement of the FAO Secretariat, in general, and the Director-General, in particular, it was FAO which had to manage the whole process, and address this egregious situation, over a protracted period of time.

17. In respect of item (c), more generally, it is now established that current practices that have developed have resulted in undesirable politicization of an international secretariat. In the situation described above, subsequent to the resignation of the Executive Secretary, an interim Executive Secretary was designated. This staff member was a candidate for the office of Executive Secretary. In anticipation of the election process, that staff member appeared to express reluctance to implement instructions issued by the Organization which could have negatively affected the interests of prospective electors. This was all the more unfortunate as the instructions concerned a politically sensitive issue on which FAO applied a policy followed by the United Nations System as whole<sup>4</sup>.

18. In the same vein, more generally, over the past few years the Organization has witnessed a number of activities that are incompatible with the Standards of Conduct for the International Civil Service – which form part of the terms of employment of FAO staff members – in the context of these electoral processes.

19. At times, secretaries may have organized their re-election without having duly informed FAO Secretariat. This is especially strange as, in any normal election or re-election procedure, the conduct of the election process is not managed by a candidate seeking election or re-election but, rather, by independent, impartial parties. These secretaries tend to nurture relationships for electoral purposes, either to obtain the support of those Members or, through them, to seek the support of other Members, in order to further their own interests in what amounts to a form of hidden “electoral campaigning”. This conduct is incompatible with the status of international civil servants and related principles of neutrality, truthfulness, trust, loyalty and integrity enshrined in the Standards of Conduct for the International Civil Service.

20. It would also appear that Members whose nationals are candidates for the office of Executive Secretary tend to intervene with the FAO Secretariat to secure the appointment of their nationals. Such actions, which also amount to a form of hidden “electoral campaigning”, are hardly compatible with the status of an international secretariat as recognized throughout the United Nations System and with the Organization's constitutional requirement of the paramount importance of securing the highest standards of efficiency and technical competence in the appointment of staff. Members are required to recognize that responsibilities of international civil servants are exclusively international in character and that they should not seek or receive instructions from any authority external to the Organization. Members are constitutionally required to fully respect the international character of the responsibilities of the staff members and not to seek to influence any of their nationals in the discharge of such responsibilities. The Organization is especially concerned at such developments, particularly in light of what seems to be a practice in the appointment of such officials that is unprecedented across the United Nations System as a whole.

21. In light of all the above, the Organization believes that corrective action is necessary in the appointment process of Secretaries of Article XIV bodies.

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<sup>4</sup> That same staff member signed a contract outside his authority exposing the Organization and its Members to financial and reputational risk in conditions which, again, might be linked to the forthcoming election. This is a situation which is still outstanding and which could result in liabilities for the Organization and its Members.

## V. Unsuitability of Election Procedures for Professional Appointments

22. More specifically, and leaving aside important considerations of a programmatic nature referred to above, the Organization believes that the current practice of holding elections is unsuitable in a number of respects:

- a) First, under the current practice the FAO Secretariat and the Director-General are, *de facto*, excluded from the recruitment process for the Executive Secretaries of the Article XIV bodies in question. The question arises as to whether the election procedure is in line with the provisions of the treaties whereby the Executive Secretaries are to be appointed by the Director-General, with the approval of the body concerned. The treaties provide for the two parties (i.e. the Director-General and the body concerned) to have a role in the process, whereas a process under which the Director-General is required to appoint an elected candidate has the practical implication of eliminating the Director-General from the process and is, thus, inherently incompatible with the provisions of the treaties. The provisions of the treaties are, in substance, similar to those of the General Rules of the Organization concerning the Deputy Directors-General who are appointed by the Director-General, subject to confirmation of the Council. These provisions of the General Rules have never resulted in elections for the positions of Deputy Directors-General.
- b) Second, the situation is all the more unfortunate because, while FAO and the Director-General are excluded from the selection process, they are fully accountable for the performance and conduct of the Executive Secretaries. The fact that FAO is accountable in this way is, unfortunately, not merely a theoretical possibility. There is, therefore, a regrettable – if not absurd – situation where FAO and the Director-General, as the ultimate legal representative of the Organization and of the Article XIV bodies concerned, are the parties primarily accountable for the consequences of shortcomings and deficiencies in the performance or conduct of each Executive Secretary, having had no involvement in the assessment and selection of the candidate in question.
- c) Third, the current practice is, in general, not suited for what is and should remain a professional appointment of an Executive Secretary. It does not allow for a proper assessment of the qualifications of the candidates, nor for proper reference checks to be carried out, nor for any assessment of all the candidates from the perspective of their integrity and conduct. These verifications are normal and important elements of the process related to any professional appointment.
- d) Fourth, FAO's experience – as the only organization where such a practice has developed – shows that it has the practical consequence of undermining the impartiality, independence, autonomy which should characterize the activities undertaken by the Organization including its statutory bodies established under Article XIV and the multilateral nature thereof. An election is an inherently political process. In seeking election, or having been elected, an official will tend to regulate his or her conduct taking into account the position of those who elected him/her or who might do so in the future. This conduct is incompatible with the obligation of loyalty of a staff member *vis-à-vis* the Organization and the body concerned, its objectives and vision. In this sense, the practice blurs lines of accountability between the FAO Secretariat and the Secretary of the statutory body concerned.

23. The above inconvenience explains why these selection practices that have evolved in FAO are unknown in other organizations of the United Nations System. The management of Programmes and Funds of the United Nations – with extensive portfolios and multi-billion US Dollar budgets, such as the United Nations Development Programme (UNDP), the United Nations International Children's Emergency Fund (UNICEF), the Office of the United Nations High Commissioner for Refugees (UNHCR), or the World Food Programme (WFP) – is undertaken by Executive Directors appointed by the Secretary-General of the United Nations, or appointed by the Secretary-General of the United Nations and the Director-General of FAO. Under the relevant rules, a consultation process with the

Executive Boards of these Programmes and Funds is foreseen, after which the appointment is formalized. However, the heads of these Funds and Programmes are clearly appointed officials.

24. The various multilateral environmental agreements (“MEAs”) which operate under the aegis of the United Nations or the United Nations Environment Programme (UNEP) are headed by Executive Secretaries appointed either by the Secretary General of the United Nations or by the Executive Director of UNEP. At times consultations with Member States are foreseen. For instance, the Executive Secretaries of the United Nations Convention to Combat Desertification and the United Nations Framework Convention on Climate Change are appointed by the Secretary-General of the United Nations following consultations with the Conference of the Parties through the Bureau. The same principles apply in relation to UNESCO and ILO Conventions. In those cases, the Secretaries of the Conventions are appointed by the Directors-General of UNESCO and ILO, respectively.

25. An appendix to this document summarizes the procedures for the appointment of Executive Secretaries of United Nations bodies, including autonomous Programmes and Funds and the MEAs. It appears clearly that in all cases the appointment authority is vested in the Secretary-General of the United Nations or the head of parent or hosting organization, even if, in a few situations, consultations are foreseen. None of the relevant rules or practices contemplate an election.

## **VI. Proposed Alternative Approach**

### **(a) Proposal to follow standard procedures for the appointment of senior staff with some adjustments**

26. Drawing on some procedures followed in FAO, and more generally on the practice followed by other organizations of the United Nations System, the Organization proposes a modification to the process for the selection of Executive Secretaries of Article XIV bodies whose constituent instruments provide that they are appointed by the Director-General with the approval of the body concerned. This approach would be compatible with the provisions of the relevant treaties, and more in line with the normal roles of both parties involved in the selection process. It would respect the respective roles of the Director-General and of the Members in the selection process and leave intact their respective authority.

27. The Director-General would, through selection procedures as currently in force in the Organization for the appointment of senior staff, identify a duly qualified candidate whose appointment would be subject to confirmation by the body concerned. Current procedures for the selection of senior staff foresee the establishment of a vacancy announcement, a period of advertisement, and the review of the candidatures received against the required qualifications. Following that, an interview panel is set up, chaired by one of the Deputy Directors-General. The interview panel establishes a short-list of recommended candidates, which is referred to the Director-General. Interview panels may include one or two external members. It is proposed that up to two representatives of Members of the body concerned could participate in the interview panel. Reference checks are carried out. Through such a process, the technical expertise of the candidates, their competencies and overall suitability for the position, can be assessed.

28. Having identified a candidate as a result of this process, the Director-General would propose the candidate for confirmation to the body in question. It would be up to that Article XIV body to decide whether or not to confirm the proposed appointment, in accordance with the provisions of the treaties. This process would be more likely to ensure that, by the time a candidate is presented to the body in question, the suitability for the position will have been confirmed. Furthermore, the process will not be unduly politicized.

29. In addition to being consistent with the treaties, this approach reflects widespread practice throughout the United Nations System for the appointment of Executive Secretaries and Executive Heads of autonomous bodies and Programmes and Funds, as described above. Indeed, the procedures currently in force for all United Nations System organizations and entities foresee a phase in the course of which the administration reviews applications received, assesses them against the required qualifications, interviews the candidates and establishes a short-list. Typically, the person vested with appointing authority, for example, the Secretary-General of the United Nations, selects one candidate

and consults or seeks confirmation by the body concerned, as demonstrated in the appendix to this document.

**(b) Applicability of the procedures of the Organization to Article XIV bodies**

30. In general, Members have not questioned the unsuitability of an election for a professional appointment. However, they have raised issues of a procedural nature. In particular, they have drawn attention to the fact that election procedures have been the practice for a number of years and, until such time as the bodies choose to modify their practice, these should continue to be followed.

31. Statutory Bodies established by convention and agreement under Article XIV of the Constitution enjoy a measure of autonomy, which varies according to their constituent instruments and operating mechanisms. Still, these conventions and agreements have been prepared, negotiated and adopted by or within the FAO Governing Bodies and these treaties cannot be seen in isolation from FAO as a whole. This position is confirmed by various principles of international law, with particular reference to the Vienna Convention on the Law of the Treaties and the history of its negotiation.

32. The Vienna Convention on the Law of the Treaties – done in Vienna on 23 May 1969, which entered into force on 27 January 1980, and to which 114 States are party – confirms the applicability of the rules of an international organization to agreements adopted within such international organizations. Article 5 of the Convention is entitled “Treaties constituting international organizations and treaties adopted within an international organization” and reads as follows:

*“The present convention applies to any treaty which is the constituent instrument of an international organization and to any treaty adopted within an international organization, without prejudice to any relevant rules of the organization”.*

33. The letter of this clause, as well as its history, confirms that the intent of the Vienna Convention on the Law of the Treaties (“the Vienna Convention”) was to preserve in full the integrity of all rules and procedures within international organizations, with particular reference to the organizations of the United Nations System.

34. The various reports of the Special Rapporteur who led the work on the development of the Vienna Convention in the International Law Commission contain a large number of observations and commentaries showing that the agreements concluded within international organizations had, to a large extent, to be considered a category of their own and that, while freedom of the negotiating States should be preserved, the main stages of the life of such treaties were matters for the organizations as a whole since the treaties in question were generally the result of the work of the organization.

35. In the same vein, the observations from Governments in those reports reflected a clear desire to preserve the decision-making processes, including the policies, in force within the organizations and the applicability of the relevant rules. Rather than including reservations in a substantial number of places in the draft articles of the treaty regarding the application of the procedures and rules of the relevant organization, it was deemed preferable to insert a general clause reserving the applicability of the specific procedures and rules of the organization in respect of treaties adopted within that organization. This position is reflected in the *“Principles and Procedures that should Govern Conventions and Agreements concluded under Article XIV and XV of the Constitution, and Commissions and Committees Established under Article VI of the Constitution”* adopted by the FAO Conference in 1957. The applicability of the rules and policies of the Organization to Article XIV bodies, including any procedures for the designation of Executive Secretaries which may have been established, is fully consistent with the Vienna Convention on the Law of the Treaties, which is recognized as reflecting customary international law.

## **VII. Other Entities Hosted within FAO**

36. A number of other entities are hosted within FAO. Institutionally they may differ from bodies established under Article XIV of the Constitution, insofar as they are not created by treaty. Typically they take the form of projects financed by voluntary contributions accepted under Financial Regulation 6.7. They may have their own governance structures and enjoy a measure of functional autonomy. Nevertheless, as in the case of Article XIV bodies, FAO remains fully accountable and

liable for them and their activities. Accordingly, it is proposed that the same procedures should apply to the appointment of the heads of those structures<sup>5</sup>.

### **VIII. Suggested Action by the Joint Meeting**

37. The Joint Meeting is invited to review this document and make such observations and comments thereon as it considers appropriate.

38. In particular, the Joint Meeting is invited, in light of the foregoing considerations, to express its views on the proposal that the Executive Secretaries or heads of bodies under Article XIV be selected through standard procedures for the appointment of senior staff, subject to subsequent approval by the body concerned. In the case of other entities hosted within FAO, existing procedures do not foresee approval of the governance structures of those entities.

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<sup>5</sup> As a general rule, these bodies are not entrusted with legal personality, and act always through FAO.

**Appendix: Selection processes and appointments of Heads of Offices and Treaty Bodies within the United Nations System**

ENTITY	FUNCTIONAL TITLE AND GRADE OF HEAD OF OFFICE	SELECTION PROCESS	APPOINTMENT MADE BY	PARTICIPATION OF MEMBER STATES
<b>UNITED NATIONS SECRETARIAT - DEPARTMENTS AND OFFICES</b>				
<b>OCHA</b> – Office for the Coordination of Humanitarian Affairs	<b>Head</b> (USG/ERC)	Appointment announced by UNSG, following nominations by Member States and short-list by selection panel.	UNSG	Nominations by Member States prior to appointment. Short-list by Selection Panel prior to appointment.
<b>OHCHR</b> – Office of the United Nations High Commissioner for Human Rights	<b>High Commissioner</b> (USG)	Appointed by UNSG, following UNGA’s approval. <sup>6</sup>	UNSG	Approval by UNGA prior to appointment.
<i>*Treaty-based bodies linked to OHCHR*</i>				
<b>CCPR</b> – Human Rights Committee	<b>Secretary</b> , Human Rights Officer (P4)	Usual OHCHR/UN recruitment process for staff members positions.	OHCHR United Nations Secretariat	None.
<b>CMW</b> - Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families	<b>Secretary</b> , Human Rights Officer (P4)	Usual OHCHR/UN recruitment process for staff members positions.	OHCHR United Nations Secretariat	None.
<b>CRC</b> - Committee on the Rights of the Child	<b>Secretary</b> , Human Rights Officer (P4)	Usual OHCHR/UN recruitment process for staff members positions.	OHCHR United Nations Secretariat	None.
<b>CRPD</b> - Committee on the Rights of Persons with Disabilities	<b>Secretary</b> , Human Rights Officer (P4)	Usual OHCHR/UN recruitment process for staff members positions.	OHCHR United Nations Secretariat	None.

<sup>6</sup>This appointment is governed by a specific Resolution of the United Nations General Assembly. See A/RES/48/141.

ENTITY	FUNCTIONAL TITLE AND GRADE OF HEAD OF OFFICE	SELECTION PROCESS	APPOINTMENT MADE BY	PARTICIPATION OF MEMBER STATES
<b>UNITED NATIONS - FUNDS AND PROGRAMMES</b>				
<b>UNDP</b> – United Nations Development Programme	<b>Administrator</b> (USG)	Appointed by UNSG in consultation with the Executive Board of UNDP. Confirmed by UNGA.	UNSG	Consultations with EB prior to appointment.  Confirmation of appointment by UNGA.
<b>UNFPA</b> – United Nations Population Fund	<b>Executive Director</b> (USG)	Appointed by UNSG following consultations with the Executive Board of the UNFPA.	UNSG	Consultations with EB prior to appointment.
<b>UNHCR</b> – United Nations High Commissioner for Refugees	<b>High Commissioner</b> (USG)	Nominated by UNSG following consultations with the Chairs of the regional groups of Member Nations. Elected by UNGA. <sup>7</sup>	UNSG	Consultations with Chairs of regional groups of Member Nations prior to appointment.  Confirmation of appointment by UNGA.
<b>UNITAR</b> - United Nations Institute for Training and Research	<b>Executive Director</b> (ASG)	Appointed by UNSG. <sup>8</sup>	UNSG	None

<sup>7</sup> This appointment is governed by a specific Resolution of the United Nations General Assembly. See A/RES/428 (V).

<sup>8</sup> See [www.unctad.org](http://www.unctad.org): “As an autonomous institute within the UN Common System, *UNITAR has independent authority in performing the human resources function. The staff of the Institute is appointed by the Executive Director. UNITAR staff members are members of the United Nations but they are not members of the United Nations Secretariat. Their appointments are limited to service with UNITAR. The UN Staff Rules and Regulations apply to UNITAR staff and they are implemented through internal circulars. The Administrative Instructions and Bulletins applying to the Secretariat do not apply to UNITAR unless decided by the UNITAR Management*”.

ENTITY	FUNCTIONAL TITLE AND GRADE OF HEAD OF OFFICE	SELECTION PROCESS	APPOINTMENT MADE BY	PARTICIPATION OF MEMBER STATES
<b>UNRWA</b> – United Nations Relief and Works Agency for Palestine refugees in the Near East	<b>Commissioner-General</b> (USG)	Appointed by UNSG, following consultations with the Advisory Commission of UNRWA. <sup>9</sup>	UNSG	Consultations with AC prior to appointment.
<b>UNWOMEN</b> – United Nations Entity for Gender Equality and the Empowerment of Women	<b>Executive Director</b> (USG)	Appointed by UNSG, following consultations with Member States. <sup>10</sup>	UNSG	Consultations with Member States prior to appointment.
<b>WFP</b> – World Food Programme	<b>Executive Director</b> (USG)	Appointed by UNSG and DG of FAO after consultation with the Executive Board of WFP.	UNSG DG of FAO	Consultation with EB prior to appointment.
* <b>UNEP</b> - United Nations Environment Programme	<b>Executive Director</b> (USG)	Nominated by UNSG, following consultations with the Chairpersons of the regional groups of Member States. Elected by UNGA. <sup>11</sup>	UNSG	Consultations with Chairpersons of the regional groups of Member States prior to appointment. Confirmation of appointment by UNGA.
<i>*Conventions and bodies administered by or linked to UNEP*</i>				
<b>BRS</b> - Basel, Rotterdam and Stockholm Conventions	<b>Executive Secretary</b> (D2)	Appointed by UNSG on advice of Executive Director. <sup>12</sup>	UNSG	None.
<b>CBD</b> – Convention on Biological Diversity	<b>Executive Secretary</b> (ASG)	Appointed by UNSG, as recommended by the Executive Director in consultation with the COP through its Bureau.	UNSG	Recommendation of ED in consultation with COP/Bureau prior to appointment.

<sup>9</sup> This appointment is governed by a specific Resolution of the United Nations General Assembly. See A/RES/302 (IV).

<sup>10</sup> This appointment is governed by a specific Resolution of the United Nations General Assembly. See A/RES/64/289.

<sup>11</sup> This appointment is governed by a specific Resolution of the United Nations General Assembly. See A/RES/2997 (XXVII).

<sup>12</sup> This information is not publicly available.

<b>ENTITY</b>	<b>FUNCTIONAL TITLE AND GRADE OF HEAD OF OFFICE</b>	<b>SELECTION PROCESS</b>	<b>APPOINTMENT MADE BY</b>	<b>PARTICIPATION OF MEMBER STATES</b>
<b>CITES</b> – Convention on International Trade in Endangered Species of Wild Fauna and Flora	<b>Secretary General</b> (D2)	Appointed by UNSG on recommendation of the Executive Director, in consultation with the Standing Committee.	UNSG	Recommendation of ED in consultation with SC prior to appointment.
<b>CMS</b> – Convention on the Conservation of Migratory Species	<b>Executive Secretary</b> (D2)	Appointed by the Executive Director in consultation with SC and Parties. <sup>13</sup>	ED	Consultation with SC and Parties prior to appointment. .
<b>Ozone Secretariat</b>	<b>Executive Secretary</b> (ASG)	Usual UN process in response to a formal request of the Meeting of the Parties to the Montreal Protocol. <sup>14</sup>	UNSG	None.
<b>UNITED NATIONS - CONVENTIONS</b>				
<b>UNCCD</b> – United Nations Convention to Combat Desertification	<b>Executive Secretary</b> (ASG)	Appointed by UNSG after consultation with the COP, through the bureau.	UNSG	Consultations with COP/Bureau prior to appointment.
<b>UNFCCC</b> – United Nations Framework Convention on Climate Change	<b>Executive Secretary</b> (ASG)	Appointed by UNSG after consultation with the COP, through its bureau.	UNSG	Consultations with COP/Bureau prior to appointment

<sup>13</sup> See UNEP/CMS/Resolution 10.29.

<sup>14</sup> See Decision XIII/31 of the Thirteenth Meeting of the Parties to the Montreal Protocol.

ENTITY	FUNCTIONAL TITLE AND GRADE OF HEAD OF OFFICE	SELECTION PROCESS	APPOINTMENT MADE BY	PARTICIPATION OF MEMBER STATES
<b>UNITED NATIONS - SPECIALIZED AGENCIES</b>				
*UNESCO – United Nations Educational, Scientific and Cultural Organization	<b>Director-General</b>	Elected by the General Conference of UNESCO.	General Conference	Election by General Conference.
<i>*Conventions linked to UNESCO*</i>				
Convention for the Safeguarding of the Intangible Cultural Heritage	<b>Secretary</b>	Appointed by the DG of UNESCO.	DG	None.
Convention on the Protection and Promotion of the Diversity of Cultural Expressions	<b>Secretary</b>	Appointed by the DG of UNESCO.	DG	None
International Convention against Doping in Sport	<b>Secretary</b>	Appointed by the DG of UNESCO.	DG	None
World Heritage Convention	<b>Secretary</b>	Appointed by the DG of UNESCO.	DG	None

ENTITY	FUNCTIONAL TITLE AND GRADE OF HEAD OF OFFICE	SELECTION PROCESS	APPOINTMENT MADE BY	PARTICIPATION OF MEMBER STATES
<b>OTHER ENTITIES</b>				
<b>ILO/Conventions</b> <sup>15</sup>				
* <b>UNCTAD</b> – United Nations Conference on Trade and Development	<b>Secretary-General</b> (USG)	Appointed by UNSG and confirmed by UNGA. <sup>16</sup>	UNSG	Confirmation of appointment by UNGA.
* <b>WTO</b> – World Trade Organization	<b>Director-General</b>	Appointed by a consensus decision of the General Council, which consists of all WTO members.	General Council	Appointment by General Council of WTO.
<i>*Joint Agency linked to UNCTAD and WTO*</i>				
ITC - International Trade Centre	<b>Executive-Director</b> (ASG)	UNCTAD and WTO constitute joint selection panel made up of three senior officials from UNCTAD, UNITAR and WTO and make joint recommendation to UNSG for his/her final decision.	UNSG	None.

<sup>15</sup> This entry is pending until receipt of further information.

<sup>16</sup> This appointment is governed by a specific Resolution of the United Nations General Assembly. See A/RES/1995 (XIX).

**ANNEX****List of acronyms**

AC	Advisory Committee
ASG	Assistant-Secretary-General
COP	Conference of the Parties
DG	Director-General
EB	Executive Board
ED	Executive Director
ERC	Emergency Relief Coordinator
SC	Standing Committee
UN	United Nations
UNGA	United Nations General Assembly
UNSG	United Nations Secretary-General
USG	Under-Secretary-General