



Subsidiary Body for Implementation

Forty-sixth session

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Item 16(c) of the provisional agenda

Administrative, financial and institutional matters

Continuing review of functions and operations of the secretariat

Information on common practices ensuring transparency in the selection of the executive heads of the UNFCCC and relevant United Nations programmes, specialized agencies and related organizations

Note by the Executive Secretary

I. Background and purpose

1. At its twenty-second session, the Conference of the Parties (COP) requested the secretariat to undertake a review of best practices that relate to the selection of the executive heads of relevant United Nations programmes, specialized agencies and related organizations in time for consideration at the forty-sixth session of the Subsidiary Body for Implementation. The review will inform options for ways to clarify the process for the selection of the Executive Secretary and the Deputy Executive Secretary of the UNFCCC.¹
2. This note provides relevant background information, drawing on the following resources:
 - (a) The Charter of the United Nations;
 - (b) The note by the United Nations Secretary-General on transparency in the selection and appointment of senior managers in the United Nations Secretariat;²
 - (c) Relevant United Nations General Assembly resolutions and reports of the Secretary-General;

¹ FCCC/CP/2016/10, paragraph 149.

² United Nations General Assembly document A/66/380/Add.1.



(d) Guidance from the Executive Office of the Secretary-General, and consultations with other United Nations entities on practices for selecting staff at the senior-most levels.

II. United Nations principles and practices

3. As reflected in the report of the Secretary-General entitled “Towards an accountability system in the United Nations Secretariat”,³ Member States, through General Assembly resolution 51/226, entrusted the Secretary-General with the discretionary authority to appoint staff at the level of Under-Secretary-General and Assistant Secretary-General.

4. That authority has been exercised with great care to ensure transparency and maintain the institutional safeguards of the process, while protecting the privacy of the applicants.

5. The main steps of the selection and appointment process are as follows:

(a) Upcoming openings are reviewed on an ongoing basis in order to commence the required selection process in a timely manner;

(b) Predetermined criteria, against which the candidates are to be reviewed, are established and reflected in the terms of reference for the interview panel and conveyed to Member States when soliciting nominations;

(c) In order to ensure a diverse pool of qualified candidates for such positions, a notification is sent to Member States through a note verbale and an advertisement is placed in suitable print media and on United Nations websites, as needed, to complement the Secretary-General’s own search efforts;

(d) In keeping with the Secretary-General’s desire to have a rigorous selection process, the consideration of the candidates includes review by and advice from a panel of senior United Nations officials with relevant knowledge and experience drawn from the United Nations Secretariat and/or the funds and programmes, as well as outside experts as deemed necessary;

(e) At the conclusion of the process, the most suitable final candidates, of which at least one is a woman, are submitted to the Secretary-General for final decision;

(f) The Secretary-General personally interviews the finalists, as appropriate, prior to making his/her decision;

(g) For some positions, consultation with intergovernmental bodies is required and conducted accordingly.

6. The approach summarized above is designed to enhance objectivity by recommending to the Secretary-General an inclusive and well-considered shortlist of senior personalities from both inside and outside the organization. It also enhances transparency by bringing to the attention of Member States upcoming openings in a timely manner. It further aims to enable the Secretary-General to select the most competent candidates with due regard for geographical distribution and the gender representation of the organization.

7. Last but not least, the approach reflects the principle of impartiality of United Nations staff enshrined in Article 100 of the Charter of the United Nations as follows:

³ United Nations General Assembly document A/64/640.

(a) In the performance of their duties, the Secretary-General and the staff shall not seek or receive instructions from any government or from any other authority external to the organization. They shall refrain from any action that might reflect on their position as international officials responsible only to the organization;

(b) Each Member State of the United Nations undertakes to respect the exclusively international character of the responsibilities of the Secretary-General and the staff and not seek to influence them in the discharge of their responsibilities.

8. Other United Nations entities follow similar processes, to various degrees. For example, the Executive Secretary of the Convention on Biological Diversity (CBD) is appointed by the Secretary-General as recommended by the Executive Director of the United Nations Environment Programme in consultation with the Conference of the Parties to the CBD through its Bureau.

9. The Executive Secretary of the United Nations Convention to Combat Desertification (UNCCD) is appointed by the Secretary-General after consultation with the Conference of the Parties to the UNCCD through its Bureau.⁴

10. For entities that are part of the United Nations Secretariat, appointments at the Under-Secretary-General and Assistant Secretary-General levels are fully within the Secretary-General's authority.⁵

11. It should be noted that specialized agencies in the United Nations system have a different character from an organization like the UNFCCC secretariat. Their executive heads are often elected by their governing bodies as opposed to being selected through a recruitment process. The Secretary-General of the United Nations does not have a role in the senior manager appointment processes followed by specialized agencies.

III. UNFCCC practice

12. The UNFCCC practice is based on decision 14/CP.1, which stipulates that the Executive Secretary is appointed by the Secretary-General, after consultation with the COP through its Bureau. That decision and the practice established to implement it is fully consistent with the practice elaborated by the Office of the Secretary-General for appointments at the Under-Secretary-General and Assistant Secretary-General levels.

13. In order to reconcile the legitimate interest of Parties in being consulted on the appointment of the positions of Executive Secretary and Deputy Executive Secretary with adherence to the provisions enshrined in Article 100 of the Charter of the United Nations, the COP is consulted at two junctures, through its Bureau, as follows:

(a) The terms of reference for the positions are shared with the Bureau of the COP for comments prior to finalization and advertising;

(b) The Bureau is consulted when the Secretary-General has made a selection, prior to the announcement of the decision.

14. In addition, Parties are approached at various stages during the period of advertisement of the position in order to support the organization in ensuring that the pool of qualified candidates is large and diverse. This strategy has been extremely useful, as

⁴ See UNCCD document ICCD/COP(1)/11/Add.1, decision 4/COP.1.

⁵ In highly exceptional cases, for example those of the Under-Secretary-General for Internal Oversight Services and the Chief Executive Officer of the United Nations Joint Staff Pension Fund, consultations with the General Assembly or other bodies may be necessary.

evidenced by the current pool of candidates for the post of Deputy Executive Secretary at the Assistant Secretary-General level.⁶

15. The practice followed by the UNFCCC in the selection of its head and his/her deputy is fully in line with the principles and best practices of the wider United Nations system. This includes the involvement of governing bodies, which, as a rule, may be consulted at the discretion of the Secretary-General. In line with United Nations principles and practices, the consideration of the candidates includes review by and advice from a panel of senior United Nations officials with relevant knowledge and experience, drawn from the United Nations Secretariat, funds and programmes as well as outside experts, as deemed necessary. It is not customary for governing bodies or their representatives to have a specific role in the selection process.

16. In the light of the above, it will be important to maintain the current practice of consulting with the Bureau at the stage of developing the terms of reference for the positions of Executive Secretary and Deputy Executive Secretary and when the Secretary-General has declared his/her intention to appoint a recommended candidate. This will ensure alignment with the practice established by the Secretary-General for senior-level positions for which selections are made by him or her. Every effort will be made to balance the imperatives of confidentiality and transparency in the appointment process and to allow sufficient time for the deliberations of the Bureau.

⁶ A full overview of the steps taken in the course of the recruitment of the head of the secretariat and his/her deputy is contained in document FCCC/CP/2016/INF.2.