|  |  |
| --- | --- |
| **Agenda item: ADM 3** | **Document C23/56-E** |
| **9 June 2023** |
| **Original: English** |
|  |  |
| Report by the Secretary-General |
| AMENDMENTS TO THE STATUTE OF THE INTERNATIONAL CIVIL SERVICE COMMISSION (ICSC) |
| **Purpose**This report describes the recent amendments to the statute of the International Civil Service Commission (ICSC) adopted by the United Nations General Assembly in Resolution 77/256 A-B clarifying the authority of ICSC to establish post adjustment multipliers for duty stations in the United Nations common system. It invites the ITU Council to consider a draft resolution on the acceptance of these amendments.**Action required by the Council**The Council is invited **to note** this report and **to adopt** the draft resolution on the acceptance of the amendments to the statute of ICSC presented in [Annex](#Annex) hereto.**Relevant link(s) with the Strategic Plan**ITU as a part of the United Nations system. **Financial implications**n/a\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**References**[United Nations General Assembly Resolution 77/256](https://apps.who.int/gb/ebwha/pdf_files/EB152/A_RES_77_256_A-B-en.pdf) A-B |

**1 BACKGROUND**

1.1 The United Nations General Assembly (UNGA) established the International Civil Service Commission (ICSC) pursuant to Resolution 3357 (XXIX) of 18 December 1974 for the regulation and coordination of the conditions of service of the United Nations common system. The ITU Council accepted the statute of ICSC at its June 1975 session.

1.2 Articles 1(3) and 30 of the ICSC statute provides that “*the present statute may be amended by the General Assembly. Amendments shall be subject to the same acceptance procedure as the present statute*” and that “*acceptance of the statute by such an agency or organization shall be notified in writing by its executive head to the Secretary-General*.”

1.3 In March 2017, ICSC determined that a new post adjustment index, applicable to the Geneva duty station, should be implemented based on the results of its 2016 cost-of-living surveys. In 2018, Geneva-based agencies decided to implement the ICSC decision to reduce the post adjustment index and corresponding post adjustment multiplier for staff in the Professional and higher categories, resulting in pay cuts. This led to mass legal challenges launched by the staff of five Geneva-based organizations before the ILO Administrative Tribunal (ILOAT). In July 2019, ILOAT issued five judgments in favour of staff, ruling that the ICSC did not have the authority to decide on the amounts of post adjustments, on the basis of its statute.

1.4 To clarify the decision-making authority of ICSC with respect to the determination of post adjustment multipliers, UNGA approved amendments to Articles 10 and 11 of the ICSC statute in December 2022, granting ICSC the authority to take a decision on the issue of post adjustment multipliers.

1.5 The amendments to the ICSC statute are as follows:

**“Article 10**

*The commission shall make recommendations to the General Assembly on:*

*…*

*(b) The salary scale~~s of salaries~~ and the value of the post adjustment~~s~~ multiplier for staff in the Professional and higher categories;*

**Article 11**

*The commission shall establish:*

*…*

*(c) The ~~classification of duty stations for the purpose of applying~~ post adjustment~~s~~ applicable to each duty station.”*

1.6 UNGA invited the relevant organizations of the common system to complete formal acceptance of the amended statute. The next step is for the Council to accept these amendments. After that decision, the ITU Secretary-General will send a formal notification to the United Nations Secretary-General, completing the acceptance procedure for ITU.

**2 ACTION REQUESTED FROM THE COUNCIL**

The Council is invited to note the report and to adopt the draft resolution, presented in [Annex](#Annex) hereto, on the amendments to the statute of ICSC adopted by UNGA pursuant to Resolution 77/256 A of 30 December 2022.

*Annex:* ***1***

Annex

Draft Resolution [...]

Amendments to the statute of the International Civil Service Commission

The ITU Council,

having considered

the report submitted by the Secretary-General in document [C23/56](https://www.itu.int/md/S23-CL-C-0056/en) concerning the amendments to the statute of the International Civil Service Commission (ICSC) adopted by the United Nations General Assembly (UNGA) at its seventy-seventh session on 30 December 2022 in Resolution 77/256 A-B,

resolves

to accept the amendments to the statute of ICSC adopted by UNGA at its seventy-seventh session on 30 December 2022 in Resolution 77/256 A,

instructs

the ITU Secretary-General to notify this acceptance to the Secretary-General of the United Nations.

\_\_\_\_\_\_\_\_\_\_\_\_\_