
REGARDING THE PROCEDURE FOR THE SELECTION AND APPOINTMENT OF THE IOTC EXECUTIVE SECRETARY

PREPARED BY: FAO MANAGEMENT

PURPOSE OF THIS DOCUMENT

To inform the Commission about the developments concerning the long-term procedures for the selection and appointment of Secretaries of Article XIV Bodies, including the IOTC Executive Secretary. And to seek the Commission's formal adoption of the procedure endorsed by the FAO Council, at its 168th session held in December 2021, provided in Annex 1 of this document.

BACKGROUND

At its 25th Session in June 2021 (S25), in accordance with Rule XVII of the IOTC Rules of Procedure (RoP), the Commission adopted a procedure for the recruitment of the IOTC Executive Secretary, comprising amendments to Rule V, Rule X and Appendix II of the 2014 RoP. The Commission also acknowledged that, given the IOTC Executive Secretary is appointed by the Director-General of FAO, (IOTC Agreement VIII.1) the proposed procedure must be consistent with the FAO's Basic Texts. The Commission therefore requested the Chairperson to forward the proposed procedure to the Independent Chairperson of the FAO Council (ICC) for his concurrence before it is submitted to the FAO Council for approval. Furthermore, the Commission requested that, if required, the IOTC Chairperson and the Chairperson of the Small Drafting Group, established for this purpose would liaise between the FAO and the Commission's Heads of Delegations on any further amendments that might be proposed from FAO's Management consideration of the procedure.

Following S25, in [IOTC Circular IOTC2021-59](#), Heads of Delegations were invited to consider an alternative text solution provided by the ICC and indicate whether they would be in favour of this alternative procedure, or wish to continue to negotiate with FAO Management. A total of 10 responses were received: nine in favour of accepting the procedure proposed by the ICC with one against ([IOTC Circular IOTC2021-75](#)). This information was conveyed to the ICC to be submitted to the FAO Committee on Constitutional and Legal Matters (CCLM113) Session on 25 – 27 October 2021 and the FAO Council (CL168) Session on 29 November – 3 December 2021.

In December 2021, the FAO Council, at its 168th session, endorsed the procedure for the selection and appointment of Secretaries of Article XIV Bodies ([Appendix D of CL 168/REP](#)) and recommended to consider extending this procedure to all Article XIV Bodies in a manner consistent with the Basic Texts and the Treaties concerned.¹ The procedure endorsed by the FAO Council is provided in Annex 1 below.

Because the IOTC is an Article XIV Body, the selection and appointment of the IOTC Executive Secretary should be consistent with the FAO's Basic Texts, the IOTC Agreement and the procedure endorsed by the FAO Council. Therefore, formal adoption by the Commission of the Council's endorsed procedure into the IOTC RoP is required. To this end, this paper outlines how the existing IOTC RoP would need to be amended to align the procedure for the selection and appointment of the IOTC Executive Secretary, with the procedure endorsed by the FAO Council.

It is noted that because the procedure endorsed by the FAO Council is different to that in the IOTC RoP (2014), some amendments to the 2014 RoP, as well as formal inclusion of Annex 1 (below) in the IOTC RoP will, in accordance with Rule XVIII of the RoP, require approval by a two-thirds majority of the IOTC Members.

PROPOSED AMENDMENTS TO RULE V.2 OF THE IOTC RULES OF PROCEDURE (2014)

To support the implementation of the new procedure (Annex 1), the following amendment to Rule V.2 of the IOTC RoP (2014) is proposed and shown in Annex 3.

¹ The procedure was essentially the alternative text solution provided in Appendix 2 of the abovementioned IOTC Circular (IOTC2021-59)

Rule V, paragraph 2:

Replace: “The Executive Secretary of the Commission shall be elected by the Commission and appointed by Director-General, in accordance with the procedure set out at Appendix II.”

With: The Executive Secretary of the Commission shall be appointed by the Director-General with the approval of the Commission, in accordance with the procedure set out at Appendix II. The three IOTC representatives referred to in Appendix II shall be the IOTC Chairperson and two Vice-Chairpersons, unless otherwise decided by the Commission. These IOTC representatives shall conduct themselves impartially, with the objective of ensuring an IOTC view is represented throughout the recruitment process.

PROPOSED AMENDMENTS TO APPENDIX II OF THE IOTC RULES OF PROCEDURE (2014)

The proposed amendment to Appendix II of the IOTC RoP (2014) involves the replacement of the six paragraphs currently under the heading ‘Procedure for the selection and appointment of the Executive Secretary of the Commission’ with the 12 paragraphs set out in Annex 1. This change is shown in Annex 2.

The existing sections on Qualifications and Benefits, Terms of Reference and Management Competences in Appendix II are retained to guide the drafting of the Vacancy Announcement with the support of the Human Resources Division (CSH).

RECOMMENDATION/S

That the Commission:

1. **NOTE** paper IOTC-2022-S26-03 seeking the Commission’s formal adoption of the long-term procedure to select the IOTC Executive Secretary as endorsed by the FAO Council at CL168 in 2021.
2. **NOTE** the additional amendment to Rule V.2 of the IOTC Rules of Procedure (2014) set out in Annex 1 that is proposed to support the new procedure endorsed by the FAO Council at its 168th Session.
3. **ADOPT** the revision to Rule V.2 of the IOTC Rules of Procedure (2014) provided in Annex 3 that supports the new procedure endorsed by the FAO Council at its 168th Session.
4. **ADOPT** the procedure provided in Annex 1, thereby replacing the existing six paragraph procedure in Appendix II of the IOTC Rules of Procedure (2014) under the heading ‘Procedure for the selection and appointment of the Executive Secretary of the Commission’.

Annex 1

PROPOSED PERMANENT PROCEDURE TO SELECT THE IOTC EXECUTIVE SECRETARY

22

CL 168/REP

Appendix D
**Revised proposed procedure for the selection and appointment of Secretaries of
Article XIV Bodies³⁷**

1. A Vacancy Announcement is drafted by technical departments with support of the Human Resources Division ("CSH") as is done for all senior (D1 and above) staff positions. The draft Vacancy Announcement is shared with the Chairperson of the Body concerned who is invited to provide views thereon.
2. The Vacancy Announcement is issued and posted for 30 days.³⁸
3. A first review and screening of candidates is undertaken by CSH based on the minimum criteria and qualifications set out in the Vacancy Announcement.
4. A second review is undertaken by the offices of the relevant Deputy Director-General and the relevant Director (D2) and three representatives of the Members of the Article XIV Body to establish a shortlist of candidates for interview. The interview shortlist must contain at least seven candidates including at least one female candidate. If there is no female candidate in the shortlist, the Panel Report must contain a justification. If the interview shortlist does not contain seven candidates, the Report must contain a justification.
5. An Interview Panel is established, which is composed of:
 - a) the relevant Deputy Director-General or Director (D2);
 - b) two Senior FAO officers;
 - c) three representatives of the Members of the Article XIV Body;
 - d) one external member, to be selected by other Interview Panellists from among three candidates proposed by CSH; and
 - e) one representative of CSH, without the right to participate in decision-making. The role of the CSH representative is to offer administrative support to the panel. He/She will not be involved in interviewing or assessing the candidates.
6. Interviews of shortlisted candidates are conducted by the Interview Panel, which will prepare a report. The Panel Report will identify a minimum of three and a maximum of five qualified candidates. If no female candidate is selected at this stage, the Panel Report must contain a justification.
7. Both the shortlist of candidates for interview as well as the three to five candidates submitted to the Director-General is compiled with due regard to gender and geographic balance in line with the policy of the Organization. If this balance is not achieved, the Panel Report must contain a justification for this. All efforts should be made to reach a decision by consensus.
8. Reference checks are undertaken by CSH.
9. The Panel Report is submitted for consideration by the Director-General.

³⁷ Annex I to CL 168/17.

³⁸ [Unless the Article XIV Body requests for a longer period up to maximum 45 days].

10. The Director-General identifies for appointment one candidate, from the proposed candidates identified in the Panel Report, whose name and curriculum vitae are referred to the relevant Article XIV Body for approval in accordance with the provisions of the treaty concerned. The name and curriculum vitae, and a written statement that reference checks have been conducted, will be transmitted to the Article XIV Body Chairperson, who will keep the information confidential, within ten weeks of the closure of the Vacancy Announcement.
11. Upon approval of the Body, an offer is issued to the candidate. Should there be non-approval, the Director-General will propose to the Body another candidate, identified in the Panel Report, recommended for appointment. In case none of the candidates identified in the Panel Report are approved by the Body, the Vacancy shall be reissued.
12. Upon acceptance, the Director-General appoints the candidate.

Annex 2

IOTC RULES OF PROCEDURE, APPENDIX II : REPLACING PARAGRAPHS 1-6 WITH THE 12 PARAGRAPHS FROM ANNEX 1

APPENDIX II ⁽¹⁾ PROCEDURE FOR THE SELECTION AND APPOINTMENT OF THE EXECUTIVE SECRETARY OF THE COMMISSION ⁽²⁾	APPENDIX II ⁽¹⁾ PROCEDURE FOR THE SELECTION AND APPOINTMENT OF THE EXECUTIVE SECRETARY OF THE COMMISSION ⁽²⁾
<p>¶</p> <ol style="list-style-type: none"> 1. → The vacancy announcement will be advertised (including required qualifications and the terms of reference (detailed below)) through international means, including the FAO website and the Commission's website.¶ 2. → Applications to be received by the Secretariat with a deadline of 45 days after the publication of the vacancy announcement and distributed to Members no later than 15 days after the deadline.¶ 3. → Five candidates are to be classed in order of preference by Members on a point score of five to one within 60 days of receiving the applications from the Secretariat. Rankings to be transmitted by each Member to the Secretariat, collated, and the ranking of all qualified candidates conveyed to all Members as soon as possible.¶ 4. → The three candidates with the greatest number of points are to be invited to the next Session of the Commission for interview by Heads of Delegation of Members of the Commission. The interviews may take place immediately prior to, or during the regular Session.¶ 5. → The new Executive Secretary to be elected by the Heads of Delegation of Members of the Commission, via a secret ballot.¶ 6. → The Director-General of FAO to be informed of the decision of the Commission in order to proceed with the appointment of the new Executive Secretary.¶ <p>Qualifications and benefits⁽³⁾</p> <ol style="list-style-type: none"> 1. → The applicant should have university level qualifications, preferably at post-graduate level, in fisheries biology, fisheries science, fisheries economics or related field. He/she should have at least fifteen years of experience in fisheries management, policy formulation, preferably including bilateral and international relations. He/she should have the ability to exercise a high degree of professional initiative. The applicant should also be conversant with the preparation of budgets, documents and the organization of international meetings. He/she should have working knowledge, level C on the FAO scale, of either English or French. Preference may be given to candidates who have working knowledge in both languages.¶ 2. → Other essential requirements include competence in the selection of staff; demonstrated ability to supervise professional matters in subject field; and familiarity with the use of word processing, spread sheets and database management systems.¶ 3. → Desirable requirements include: a high degree of adaptability and ability to cooperate effectively with people of different nationalities and of various social and cultural backgrounds and education levels, as well as experience on fisheries related issues in the region.¶ 4. → The Executive Secretary will be graded at the D-1 level based on the United Nations salary scheme for professional and higher categories. He/she will in addition, be entitled to a variable element for post adjustment, pension, insurance, etc. The Executive Secretary is appointed under the same terms and conditions as staff members of FAO.¶ 	<ol style="list-style-type: none"> 1. A Vacancy Announcement is drafted by technical departments with support of the Human Resources Division ("CSH") as is done for all senior (D1 and above) staff positions. The draft Vacancy Announcement is shared with the Chairperson of the Body concerned who is invited to provide views thereon. 2. The Vacancy Announcement is issued and posted for 30 days.³⁸ 3. A first review and screening of candidates is undertaken by CSH based on the minimum criteria and qualifications set out in the Vacancy Announcement. 4. A second review is undertaken by the offices of the relevant Deputy Director-General and the relevant Director (D2) and three representatives of the Members of the Article XIV Body to establish a shortlist of candidates for interview. The interview shortlist must contain at least seven candidates including at least one female candidate. If there is no female candidate in the shortlist, the Panel Report must contain a justification. If the interview shortlist does not contain seven candidates, the Report must contain a justification. 5. An Interview Panel is established, which is composed of: <ol style="list-style-type: none"> a) the relevant Deputy Director-General or Director (D2); b) two Senior FAO officers; c) three representatives of the Members of the Article XIV Body; d) one external member, to be selected by other Interview Panellists from among three candidates proposed by CSH; and e) one representative of CSH, without the right to participate in decision-making. The role of the CSH representative is to offer administrative support to the panel. He/She will not be involved in interviewing or assessing the candidates. 6. Interviews of shortlisted candidates are conducted by the Interview Panel, which will prepare a report. The Panel Report will identify a minimum of three and a maximum of five qualified candidates. If no female candidate is selected at this stage, the Panel Report must contain a justification. 7. Both the shortlist of candidates for interview as well as the three to five candidates submitted to the Director-General is compiled with due regard to gender and geographic balance in line with the policy of the Organization. If this balance is not achieved, the Panel Report must contain a justification for this. All efforts should be made to reach a decision by consensus. 8. Reference checks are undertaken by CSH. 9. The Panel Report is submitted for consideration by the Director-General. 10. The Director-General identifies for appointment one candidate, from the proposed candidates identified in the Panel Report, whose name and curriculum vitae are referred to the relevant Article XIV Body for approval in accordance with the provisions of the treaty concerned. The name and curriculum vitae, and a written statement that reference checks have been conducted, will be transmitted to the Article XIV Body Chairperson, who will keep the information confidential, within ten weeks of the closure of the Vacancy Announcement. 11. Upon approval of the Body, an offer is issued to the candidate. Should there be non-approval, the Director-General will propose to the Body another candidate, identified in the Panel Report, recommended for appointment. In case none of the candidates identified in the Panel Report are approved by the Body, the Vacancy shall be reissued. 12. Upon acceptance, the Director-General appoints the candidate. <p>Qualifications and benefits⁽³⁾</p> <ol style="list-style-type: none"> 1. → The applicant should have university level qualifications, preferably at post-graduate level, in fisheries biology, fisheries science, fisheries economics or related field. He/she should have at least fifteen years of experience in fisheries management, policy formulation, preferably including bilateral and international relations. He/she should have the ability to exercise a high degree of professional initiative. The applicant should also be conversant with the preparation of budgets, documents and the organization of international meetings. He/she should have

Annex 3

IOTC RULES OF PROCEDURE: RULE V.2. NEW TEXT

RULE V: THE SECRETARIAT

2. The Executive Secretary of the Commission shall be appointed by the Director-General with the approval of the Commission, in accordance with the procedure set out at Appendix II. The three IOTC representatives referred to in Appendix II shall be the IOTC Chairperson and two Vice-Chairpersons, unless otherwise decided by the Commission. These IOTC representatives shall conduct themselves impartially, with the objective of ensuring an IOTC view is represented throughout the recruitment process.