

FICSA/C/74/LEG/CRP.1
Provisional agenda item 11(a)

Session 1: 14 December 2020 @ 1 pm Geneva Time (Teams)
Session 2: 16 December 2020 @ 1 pm Geneva Time (Teams)
Session 3: 27 January 2021 @ 13h00 Geneva Time (Teams)

STANDING COMMITTEE ON LEGAL QUESTIONS

Provisional Agenda



Chair: Andres Orias Bleichner



Vice-Chair: Gemma Vestal



Vice-Chair: Brett Fitzgerald

1. Adoption of the agenda
 2. Election of the rapporteur
 3. Follow up from the 73rd Council Decisions: [Employment Insurance D/1](#)), Evelyn Kortum, FICSA General Secretary
 4. Review of the jurisdictional setup of the UN Common System, Andres Orias, Chair
 5. UN Code of conduct for legal representatives and litigants in person, Gemma Vestal, Co-Chair
 6. Organizational rules on outside activities of staff, Gemma Vestal, Vice-Chair
 7. Remote work from a legal perspective, Andres Orias, Chair
 8. List of financial rules (part of the FICSA Statutes) to be amended
 9. Nomination of Standing Committee officers and core group members
 10. Any other business
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FICSA COUNCIL

Standing Committee on Legal Questions

74th SESSION
VIRTUAL

Agenda Item 4: Summary Sheet

FICSA /C/74/LEG/PA/4

<input type="checkbox"/> For Discussion <input type="checkbox"/> For Information <input type="checkbox"/> For Decision	
Name of submitting member(s) & organization (s)	Andres Orias Bleichner
Issue (title)	Review of the jurisdictional setup of the UN Common System
Issue description (including reach: global versus local)	
Background documentation	FICSA Communication 82/20 FICSA Communication 68/20 FICSA Communication 64/20 Please also refer to the Member Section (To navigate there, go to Members Area -> Document Library -> FICSA Database -> Review of Jurisdiction: https://ficsa.org/members-area/documentlibrary/documents.html?group=271)
Action(s) requested from Standing Committee participants	Get familiar with the issues at stake and also take note of the FICSA/C/73/D/2 communicated on 21 October 2020 and including FICSA Executive Committee guidelines for staff representatives about a neutral appeal instance process within the internal justice system (ILOAT and UNAT)
FOR THE CHAIR(S) TO COMPLETE, IF APPLICABLE:	
Next step(s)/specific action(s)	FICSA ExCom to prepare an updated list of Organizations and Agencies under the jurisdictions of ILOAT or UNDT/UNAT
Deadline	Early 2021
Resources required	<input type="checkbox"/> <input type="checkbox"/> FICSA Secretariat <input type="checkbox"/> FICSA ExCom (Compensation, Field, Treasurer, Other) <input type="checkbox"/> Volunteer/Intern <input type="checkbox"/>

FICSA COUNCIL

Standing Committee on Legal Questions

74th SESSION
VIRTUAL

Agenda Item 5: Summary Sheet

FICSA /C/74/LEG/PA/5

<input checked="" type="checkbox"/> For Discussion <input type="checkbox"/> For Information <input type="checkbox"/> For Decision	
Name of submitting member(s) & organization (s)	Gemma Vestal
Issue (title)	Organizational Code of Conduct for legal representatives and litigants in person
Issue description (including reach: global versus local)	A Code of Conduct for legal representatives and litigants in person could have some merit for the proper functioning of the formal justice system of any international organization. However, staff representatives should ensure that the Code of Conduct does not curtail the rights of staff members to a robust legal representation.
Background documentation	UN Code of conduct for legal representatives and litigants in person
Action(s) requested from Standing Committee participants	Inform the Standing Committee on Legal Questions if your organization has introduced a Code of Conduct that is significant departure from the UN's. Please provide a copy.
FOR THE CHAIR(S) TO COMPLETE, IF APPLICABLE:	
Next step(s)/specific action(s)	
Deadline	
Resources required	<input type="checkbox"/> Specialist/Consultant <input type="checkbox"/> Legal Adviser <input type="checkbox"/> SC Chair/Vice-Chair <input type="checkbox"/> Core group member(s) <input type="checkbox"/> FICSA Secretariat <input type="checkbox"/> FICSA ExCom (Compensation, Field, Treasurer, Other) <input type="checkbox"/> Volunteer/Intern <input type="checkbox"/> Other

FICSA COUNCIL

Standing Committee on Legal Questions

74th SESSION
VIRTUAL

Agenda Item 6: Summary Sheet

FICSA /C/74/LEG/PA/6

<input checked="" type="checkbox"/> For Discussion <input type="checkbox"/> For Information <input type="checkbox"/> For Decision	
Name of submitting member(s) & organization (s)	Gemma Vestal
Issue (title)	Organizational rules on outside activities of staff
Issue description (including reach: global versus local)	<p>Staff members shall not engage in any outside occupation or employment, without prior approval of the Director-General. The image and reputation of the Organization is reliant, in large part, on the conduct and behaviour of its staff. Staff members are expected to devote their time and energy to the work of the Organization. According to Staff Regulation . . ., “No staff member shall accept, hold or engage in any office or occupation which is incompatible with the proper discharge of his or her duties with the Organization”.</p> <p>Engagement in outside occupation or employment, paid or unpaid, may interfere with exercise of the staff member’s Organizational functions. Some external activities may be incompatible with the status of the Organization’s employees, or conflict with the best interest of the Organization.</p> <p>The global framework is the “Standards of Conduct for the International Civil Servants (ICSC)”.</p> <p>The specific regulations of each organization or agency are the first level of reference for the application of the standards.</p> <p>Question to SC Legal members: What is your policy and procedure for requesting an outside activity? What is the average number of days/weeks for approval?</p>
Background documentation	<p>ICSC Standards of Conduct – Edition of 2013 (Articles 45-49: Outside employment and activities and Articles 50-51: Gifts, honours and remuneration from outside sources).</p> <p>Sample policy on outside conduct from WHO.</p> <p>Sample form to fill out to formally request an authorization for an outside activity.</p>

Action(s) requested from Standing Committee participants	
FOR THE CHAIR(S) TO COMPLETE, IF APPLICABLE:	
Next step(s)/specific action(s)	
Deadline	
Resources required	<input type="checkbox"/> Specialist/Consultant <input type="checkbox"/> Legal Adviser <input type="checkbox"/> SC Chair/Vice-Chair <input type="checkbox"/> Core group member(s) <input type="checkbox"/> FICSA Secretariat <input type="checkbox"/> FICSA ExCom (Compensation, Field, Treasurer, Other) <input type="checkbox"/> Volunteer/Intern <input type="checkbox"/> Other
Deliverable	<input type="checkbox"/> Literature review <input type="checkbox"/> Paper/Article <input type="checkbox"/> Background paper with options <input type="checkbox"/> Legal article/review/opinion <input type="checkbox"/> Talking points for high-level fora/forum – Advocacy <input type="checkbox"/> Comparative study <input type="checkbox"/> Good practices <input type="checkbox"/> Recommendations/ guideline for SAs/unions
Issue for high level fora	<input type="checkbox"/> International Civil Service Commission (ICSC) <input type="checkbox"/> High-Level Committee for Management (HLCM) <input type="checkbox"/> HR Network <input type="checkbox"/> Joint Pension Board <input type="checkbox"/> UN General Assembly <input type="checkbox"/> Inter-Agency Security and Management Network (IASMN) <input type="checkbox"/> Other

FICSA COUNCIL

Standing Committee on Legal Questions

74th SESSION
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Agenda Item 7: Summary Sheet

FICSA /C/74/LEG/PA/7

<input checked="" type="checkbox"/> For Discussion <input type="checkbox"/> For Information <input type="checkbox"/> For Decision	
Name of submitting member(s) & organization (s)	Andres Orias Bleichner
Issue (title)	Remote work from a legal perspective
Issue description (including reach: global versus local)	<p>The current public health crisis accelerated the move of staff to working from remote locations. This forum will discuss the legal implications, for example, in case of accidents, will these be regarded as work-related accident and under what conditions. What kind of insurances might be needed and what elements do policies need to contain to protect staff? Any other related issues will be discussed.</p> <p>The Chair will present a brief PPT on the subject.</p> <p>The deliberations from these discussions will be presented at the Joint Session on Remote Working which will be held on 11 January at 1pm Geneva time. Please consult the online calendar.</p>
Background documentation	FICSA teleworking survey
Action(s) requested from Standing Committee participants	Provide your experiences.
FOR THE CHAIR(S) TO COMPLETE, IF APPLICABLE:	
Next step(s)/specific action(s)	
Deadline	
Resources required	<input type="checkbox"/> Specialist/Consultant <input type="checkbox"/> Legal Adviser <input type="checkbox"/> SC Chair/Vice-Chair

	<input type="checkbox"/> Core group member(s) <input type="checkbox"/> FICSA Secretariat <input type="checkbox"/> FICSA ExCom (Compensation, Field, Treasurer, Other) <input type="checkbox"/> Volunteer/Intern <input type="checkbox"/> Other
Deliverable	<input type="checkbox"/> Literature review <input type="checkbox"/> Paper/Article <input type="checkbox"/> Background paper with options <input type="checkbox"/> Legal article/review/opinion <input type="checkbox"/> Talking points for high-level fora/forum – Advocacy <input type="checkbox"/> Comparative study <input type="checkbox"/> Good practices <input type="checkbox"/> Recommendations/ guideline for SAs/unions
Issue for high level fora	<input type="checkbox"/> International Civil Service Commission (ICSC) <input type="checkbox"/> High-Level Committee for Management (HLCM) <input type="checkbox"/> HR Network <input type="checkbox"/> Joint Pension Board <input type="checkbox"/> UN General Assembly <input type="checkbox"/> Inter-Agency Security and Management Network (IASMN) <input type="checkbox"/> Other