

## REPORT OF THE STANDING COMMITTEE ON LEGAL QUESTIONS

### Introduction

1. The Standing Committee on Legal Questions (LEGAL – see Appendix 1 for the participants) met twice to address its agenda.
2. A member requested the inclusion of an additional point on the agenda to discuss the amendment of Article 31 of the FICSA [Statutes](#) to increase the number of consecutive years that a member of the Executive Committee may serve. LEGAL then approved the agenda was amended.

### Closing of previous year's index of decisions

3. LEGAL's review of the decision FICSA/C/78/D/10 in the [Index of Decisions](#) (document FICSA/CIRC/1402) from the 78<sup>th</sup> session of the FICSA Council highlighted the need to provide specific training to members on United Nations (UN) legal tribunals: the ILO Administrative Tribunal (ILOAT), the UN Appeals Tribunal (UNAT) and the UN Dispute Tribunal (UNDT).
4. Taking into account the current restructuring underway in most FICSA members, LEGAL prepared an "Ask the FICSA Expert" session on the legal options available to staff during such a restructuring, which is available on the FICSA [website](#) . Also, LEGAL prepared a [brochure](#) to provide some basic information on the UN tribunals, which would assist staff wishing to challenge administrative decisions.

### Latest updates

5. The LEGAL Chair informed the delegates about the latest decision from the International Civil Service Commission (ICSC) to include two operational rules in its report [FICSA Circular 1398](#) on its 100<sup>th</sup> session. Included as Annex II, they modified the implementation of the methodology in the middle of the eighth round of salary surveys. Here, [FICSA communication 31/25](#) was relevant, as it addressed the lawfulness of ICSC's decision to adopt those operational rules and the ICAO decision on their adoption.
6. The Chair also described the proposal of the UN Secretary-General to the General Assembly to establish a single database for collecting and analysing data from various justice systems mechanisms, entities, funds and programmes. The General Assembly had requested further information, including modalities for the possible use of artificial intelligence limited to support tasks. That proposal would also cover one of the [decisions of the 77th Council](#) that the FICSA Executive Committee should ensure that the information on the legal support accessible to members reflected the current evolution of the internal appeals mechanisms in each organization.

## Legal concerns and organizational issues

7. LEGAL members raised current issues of particular importance. Several described the problem of the lack of legal assistance available for staff and requested information on the options for signing an agreement with any insurance company. The Chair recalled the problems with the previous company providing legal insurance and the existence of a [list of legal advisers](#) available to all FICSA members. A related issue was the disadvantage to staff of having to take part in investigations, mediation and/or performance evaluations when their organizations did not allow them to be accompanied by legal assistance, while the organizations had legal advisers present.
8. A member based in Egypt raised a problem that international staff were experiencing in securing residence documents for dependants. The documents issued by the authorities had high costs, which the organization's administration refuses to reimburse. The Chair of Legal SC requested further information to determine whether such payments could be considered as a tax and could therefore be considered as reimbursable.

### Recommendation

- LEGAL recommended that the FICSA Executive Committee should study the legal situation of organizations regarding the options for staff to be accompanied by legal assistance when needed in interactions with their organizations' management and/or human resources unit.

## Presentation of staff appeals in international organizations

9. Following an information session to share basic information on the presentation of staff appeals in international organizations, LEGAL members asked about the privacy of information on their personal devices when they used them for their work, connected them to their organizations' networks or downloaded applications related to their work. The LEGAL Chair reminded members that UN organizations prepared policy documents on the use of UN information and communication technology resources and data. Staff signed those documents or accepted those policies when using UN resources, which included computer networks.

## Other business

10. The Chair reminded LEGAL members that all changes in the FICSA [Statutes](#) need to be approved in Council according to Article 20.

### Recommendation

- LEGAL recommended that the FICSA Executive Committee should review Article 31 of the FICSA [Statutes](#) with a view to presenting a proposal to amend it to the 80<sup>th</sup> session of the FICSA Council.

## Nomination of officers

11. LEGAL nominated the following delegates as officers:
  - Maria del Rocio Martin Vargas (UNICTF) as Chair
  - Joel Lahaye (CERN) as Vice-Chair

## Core Group Members

Marina Sclafani (UNGSC), Fola Odulana (IMO) and Sherren Barry (IMO)

## Appendix 1. Participants

### Staff association/union

FAO/WFP-UGSS	Marc Brown, Enzo Giorgio Lalli
ICAO	Marissa Collis
IMO	Fola Odulana
UNESCO	Federica Delconte
UNFCCC	Rogier Van der Haagen
UNRWA ASA	Diab El Tabari
UPU	Birahim Fall, Prakash Sharma
WHO/AFRO	Christian Tounta
WHO/EMRO	Mina Nagy
WHO/EURO	Antonella Biasiotto
WHO/HQ	Nicole Valentine
WHO/WPRO	Raymund Antiola

### Members with Associate Status

OPCW	Annette Holden
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### Members with Consultative Status

EMBL	Katarzyna Marciniak
WIPO SC	Sherine Greiss, Faizan Ul Haq

### Members with Observer Status

FUNSA Liberia	Amos Boya Kawreh JR
FUNSA Pakistan	Muhammad Irshad Anwer, Qazi Saif Ur Rehman

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