



SON 13 SENIOR OFFICIALS' MEETING MANILA, 29 - 30 NOVEMBER 2017

5th session

Consideration and Agreement on revised text of the Agreement on Establishment and Staff Regulation of CTI-CFF Regional Secretariat regarding Executive Director and Deputy Executive Director appointment mechanism

CTI-CFF Regional Secretariat

Background

- ☐ The 12th Senior Officials' Meeting (SOM-12) held on 1-2 November 2016 and the 6th Ministerial Meeting (MM-6) held on 3 November 2016 in Port Moresby, Papua New Guinea.
- The SOM-12 discussed and made decisions accordingly on the proposal from Timor-Leste regarding "the Amendment to the Agreement on Establishment and Staff Regulation of CTI-CFF Regional Secretariat in relation to the Executive Director Appointment Mechanism", which was officially submitted and signed by the Minister in February 2016. The following were the Timor-Leste's proposals that already discussed and agreed by the SOM-12:
 - Article 6, No. 2 and 4, of the Agreement on the Establishment of CTI-CFF Regional Secretariat
 - Article 7, No. 1, of the Agreement on the Establishment of CTI-CFF Regional Secretariat
 - Regulation 7, No. 3 and 6, of the Staff Regulations of CTI-CFF

Background (Cont'd)

- ☐ As stated in the Chairman's Summary of SOM-12, No. 4 the following are the decisions:
 - 1) Appreciated the Government of Timor-Leste for the proposal for amendment to the Agreement on Establishment and Staff Regulation of CTI-CFF Regional Secretariat in relation with the Executive Director appointment mechanism;
 - 2) Agreed that the appointment mechanism for Executive Director's post shall be made to observe the principle of rotation in alphabetical order among CTI-CFF Member States;
 - 3) Agreed that the term of Executive Director post shall be for four (4) years based on annual performance and assessment by the CTI-COM; and
 - 4) Agreed that the Deputy Executive Director post shall be based on merit services and it is open for all CTI-CFF member countries but will not be of the same nationality as Executive Director at any point of time.

Legal Basis for Amendment

The Agreement on the Establishment of the CTI-CFF Regional Secretariat

Article 16

Amendments

- Any Party may request in writing a revision, modification or amendment of all or any part of this Agreement.
- Any revision, modification or amendment agreed to by the Parties shall be reduced into writing and shall form part of this Agreement.
- 3) Such revision, modification or amendment shall come into force on such date as may be determined by the Parties.
- 4) Any revision, modification or amendment shall not prejudice the rights and obligations arising from or based on this Agreement before or up to the date of such revision, modification or amendment.

Legal Basis for Amendment (Cont'd)

CTI-CFF Rules of Procedures

Rule 24

Amendment

- 1) These Rules of Procedure, the Finance Regulations and Staff Regulations may be amended by the CTI COM.
- 2) The CTI CSO may, in accordance with Rule 5 of these Rules of Procedure, make amendments to these Rules of Procedure, the Finance Regulations and Staff Regulations with the exception of Rule 5 of these Rules of Procedure.

Rule 25

Additional Provisions and Amendments

- 1) Additional provisions and amendments shall be officially submitted by a Party/Parties in writing to the Executive Director.
- The Executive Director shall circulate the submissions to the Parties not later than sixty (60) days before the CTI COM or CTI CSO Meeting.

Flowchart for Amendment based on Legal Basis

1

Member States may propose amendments on any articles/rules/regulations under the Agreement on the Establishment of CTI-CFF Regional Secretariat, along with its integrated part namely Rules of Procedure, Financial Regulations and Staff Regulations

2

Timor-Leste's proposal was officially submitted to RS 25 February 2016

The Proposal of amendments:

- should be signed by the Minister because this document was adopted and on 28 October signed by the CTI-CFF Ministers 2011
- 2) should be officially submitted to RS
- 3) Should be sent not later than sixty (60) days before CTI-COM or CTI-CSO Meeting)

Ref:

- Article 16 of the Agreement
- Rule 24 (1,2) and Rule 25 (1,2) of CTI-CFF Rules of Procedures

3

RS circulate the proposal of amendment to other NCCs for their review and consideration

SOM-12 on 1-2 November 2016 discussed and decided on the Timor-Leste's proposal

- SOM to discuss and decide on the proposal of amendment
- 2) SOM make recommendations to the CTI-COM for approval

8

- SOM to discuss and decide on the proposal of new texts
- 2) SOM make recommendations to the CTI-COM for approval

7

RS to circular the new texts for considerations to the NCCs for their review and consideration



RS to revise the relevant texts
(i.e. (related to the amended articles/rules) in accordance with the CTI-CSO and CTI-COM decisions



CTI-COM through its meeting, Ministerial Meeting (MM), will adopted the decisions.

MM-6 adopted Chairman's Summary of SOM-12

10

RS to produce and print the new version of the Agreement on the Establishment of CTI-CFF Regional Secretariat along with its integrated part namely Rules of Procedure,

Financial Regulations and Staff Regulations



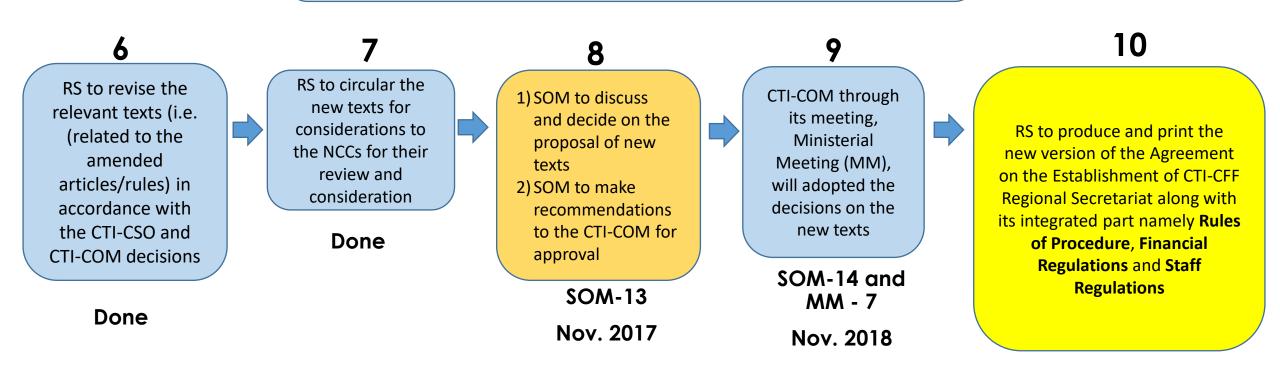
CTI-COM through its meeting, Ministerial Meeting (MM), will adopted the decisions on the new texts





Flowchart for Amendment based on Legal Basis (Cont'd)

Based on the Flowchart for Amendment, the current process is No. 6 - 10



Proposal on Revised Text of the Agreement on the Establishment of CTI-CFF Regional Secretariat and Staff Regulations

The Chairman's Summary of SOM-12, Decision No. 4	Original Text	Proposal of Revised/New Text
4.1 Appreciated the Government of Timor-Leste for the proposal for amendment to the Agreement on Establishment and Staff Regulation of CTI-CFF Regional Secretariat in relation with the Executive Director appointment mechanism;		
4.2 Agreed that the appointment mechanism for Executive Director's post shall be made to observe	THE AGREEMENT ON THE ESTABLISHMENT OF THE REGIONAL SECRETARIAT OF CTI-CFF	THE AGREEMENT ON THE ESTABLISHMENT OF THE REGIONAL SECRETARIAT OF CTI-CFF
the principle of rotation in alphabetical order among CTI-CFF Member States;	Article 6: Executive Director, No. 2	Article 6: Executive Director, No. 2
and	The Executive Director shall be appointed through a merit based process as outlined in the Staff	The Executive Director shall be appointed through a merit based process as outlined in the Staff
4.3 Agreed that the term of Executive Director post	Regulations for a term of four (4) years and may be-reappointed by the CTI-COM for one term	Regulations for a term of four (4) years and be based on annual performance and assessment by
shall be for four (4) years based on annual performance and assessment by the CTI-COM;	be-reappointed by the CTI-COW for one term	the CTI-COM
	Article 6: Executive Director No. 4	Article 6: Executive Director No. 4
	The Executive Director shall be a national of a Party	The Executive Director shall be a national of a Party and be made to observe the principle of rotation in alphabetical order among CTI-CFF Member Parties

Proposal on Revised Text of the Agreement on the Establishment of CTI-CFF Regional Secretariat and Staff Regulations (Cont'd)

The Chairman's Summary of SOM-12, Decision No. 4	Original Text	Proposal of Revised/New Text
4.4 Agreed that the Deputy Executive Director post	THE AGREEMENT ON THE ESTABLISHMENT OF THE	THE AGREEMENT ON THE ESTABLISHMENT OF THE
shall be based on merit services and it is open for	REGIONAL SECRETARIAT OF CTI-CFF	REGIONAL SECRETARIAT OF CTI-CFF
all CTI-CFF member countries but will not be of the		
same nationality as Executive Director at any point	Article 7: Deputy Executive Directors; No. 1	Article 7: Deputy Executive Directors; No. 1
of time.		
	Two Deputy Executive Directors shall be appointed	Two Deputy Executive Directors shall be appointed
	through a merit based process as outlined in the	through a merit based process as outlined in the
	Staff Regulations for a term of four (4) years and	Staff Regulations for a term of four (4) years <mark>; <u>open</u></mark>
	may be reappointed by the CTI COM for one term.	for all CTI-CFF Member Parties but shall not be of
		the same nationality as Executive Director at any
		point of time; and may be reappointed by the CTI
		COM for one term.

Proposal on Revised Text of the Agreement on the Establishment of CTI-CFF Regional Secretariat and Staff Regulations (Cont'd)

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The Chairman's Summary of SOM-12,	Original Text	Proposal of Revised/New Text		
Decision No. 4				
4.2 Agreed that the appointment	CTI-CFF STAFF REGULATIONS	CTI-CFF STAFF REGULATIONS		
mechanism for Executive Director's post				
shall be made to observe the principle of	Regulation 7: Recruitment Policy for the	Regulation 7: Recruitment Policy for the Executive Director and		
rotation in alphabetical order among CTI-	Executive Director and Deputy Executive	Deputy Executive Directors		
CFF Member States;	Directors			
	No. 3	No. 3		
and	The CTI COM or, where responsibility has	The CTI COM or, where responsibility has been delegated, the CTI		
4.4 Agreed that the Deputy Executive	been delegated, the CTI CSO shall convene			
Director post shall be based on merit	an Appointment Committee to select and	vacancies for the position of Executive Director and/or Deputy		
services and it is open for all CTI-CFF	recruit vacancies for the position of	Executive Director. The appointment mechanism for Executive		
member countries but will not be of the	Executive Director and/or Deputy Executive	<u>Director and Deputy Executive Directors shall be as follows</u> :		
	Director.			
same nationality as Executive Director at		a) <u>the Executive Director shall be made to observe the principle</u>		
any point of time.		of rotation in alphabetical order among CTI-CFF Member		
		<u>Parties.</u>		
		b) <u>The Deputy Executive Directors shall be based on merit</u>		
		services and it is open for all CTI-CFF Member Parties but will		
		not be of the same nationality as Executive Director at any		
		<mark>point of time.</mark>		

Proposal on Revised Text of the Agreement on the Establishment of CTI-CFF Regional Secretariat and Staff Regulations (Cont'd)

The Chairman's Summary of SOM-12, Decision No. 4	Original Text	Proposal of Revised/New Text
	CTI-CFF STAFF REGULATIONS Regulation 7: Recruitment Policy for the Executive Director and Deputy Executive Directors No. 6 Vacancies for the Executive Director or Deputy Executive Directors will be advertised in the Parties. In addition, Parties may nominate candidates for vacant	CTI-CFF STAFF REGULATIONS Regulation 7: Recruitment Policy for the Executive Director and Deputy Executive Directors No. 6 Vacancies for the Executive Director or Deputy Executive Directors will be advertised in the Parties. In addition, Parties may nominate candidates for vacant positions. Regardless of whether nominated by a Party or applying themselves, all candidates will be subjected
same nationality as Executive Director at any point of time.	by a Party or applying themselves, all candidates will be subjected to the same appointment process and selection criteria.	

Recommendations

- 1) Agreed to adopt the new texts of Article 6 (2) and (4) on Executive Director and article 7 (1) on Deputy Executive Directors of the Agreement on the Establishment of CTI-CFF Regional Secretariat as well as Regulation 7 (3) and (6) on Recruitment Policy for the Executive Director and Deputy Executive Directors of Staff Regulations
- 2) Recommended the new texts to CTI-COM through its Ministerial Meeting for approval.

