

MEMORANDUM OF UNDERSTANDING

(hereinafter the "Memorandum")

BETWEEN

THE UNITED NATIONS ENVIRONMENT GENEVE STAFF ASSOCIATION (UNEGSA)

AND

THE UNITED NATIONS NAIROBI STAFF UNION (NSU)

WHEREAS the present Memorandum is made between, on one hand, the association of the Geneva staff of the United Nations Environment Programme ("UN Environment"), including the staff of the Secretariats of UN Environment-administered Multilateral Environmental Agreements (MEAs), with offices located at the International Environment House No.1, 11-15, chemin des Anémones, 1219 Châtelaine, Geneva, Switzerland, and its postal address at the Palais des Nations, 08-14, avenue de la Paix, 1211 Geneva 10, Switzerland (hereinafter referred to as "**UNEGSA**"), and on the other hand, the United Nations Nairobi Staff Union, with offices at the United Nations Office Nairobi, Gigiri Complex, in Nairobi, Kenya (hereinafter referred to as "**NSU**");

WHEREAS both UNEGSA and NSU (hereinafter referred to, collectively, as the "Parties" and, individually, as "Party") have common goals and objectives, which among other things include: i) to support the general welfare of all UN Environment employees, to safeguard collective and individual rights and interests of all staff and to work towards the improvement the terms and conditions of employment of all; ii) the development of effective staff participation in decision-making processes, the improvement of the security, health and safety conditions of all workers, the protection of pension rights, the development of equitable career developments and the support of members who find themselves in difficulty, etc. – in accordance with the applicable provisions of their respective statutes¹, such as Article 31 of NSU statutes:

"The Executive Committee shall maintain contact with any representative bodies established by members of the Staff Union serving away from Nairobi Headquarters. The relationship between the Executive Committee and such representative bodies may be defined by agreements between the Staff Council and the bodies concerned".

WHEREAS the Parties intend to conclude this Memorandum of Understanding (hereinafter referred to as the "Memorandum") with the aim of consolidating, developing and detailing their cooperation and effectiveness to achieve the common objectives;

NOW THEREFORE, THE PARTIES agree to cooperate under this present Memorandum as follows:

¹ The Statutes of UNEGSA were adopted, with amendments, by the General Assembly of UNEGSA at its first meeting held on 31st May 2018 and are included in Annex to the present Memorandum.

NJE
A.S.T.
[Signature]

1. Interpretation

References to this Memorandum shall be construed as including any Annexes. Implementation of any subsequent activities, projects and programmes pursuant to this Memorandum, including those involving the transfer of funds between the Parties, shall necessitate the execution of separate appropriate legal instruments between the Parties. The terms of such legal instruments shall be subject to the provisions of this Memorandum.

2. Purpose, Areas of cooperation and Activities

- (a) The main purpose of this Memorandum is to provide a framework of cooperation and understanding, and to facilitate collaboration between the Parties to further their shared goals and objectives, as above mentioned and in conformity with their statutes.
- (b) More specifically, this Memorandum shall be achieved by the Parties through activities, which include but are not limited to the following:
 - (i) Work to improve the terms and conditions of employment of all employees,
 - (ii) Develop effective staff participation in decision-making processes,
 - (iii) Work to improve the security, health and safety protections and pension rights,
 - (iv) Inform and be an instance of dialogue, by triggering effective communication, within the organisation, on staff issues,
 - (v) Support for equitable career developments,
 - (vi) Provide guidelines on how UN staff associations, unions and other representative bodies could handle institutional and organisational reforms,
 - (vii) Support members who find themselves in difficulty.

The above list is not exhaustive and should not be taken to exclude or replace other forms of cooperation between the Parties on other issues of common interest.

3. Organisation of the cooperation

- (a) The Parties will provide to each other mutual assistance, within available resources, and in accordance with the possibilities as determined in each case.
- (b) To that end, the Parties will designate representatives for the purpose of this Memorandum and in view of the various areas of cooperation or activities related thereto: UNEGSA will mainly act through its Executive Committee, in accordance with its statutes and the decisions of its General Assembly. NSU will mainly act through its Executive Committee, in accordance with its statutes and the decisions of its Council.
- (c) The Parties will hold regular bilateral meetings on matters of common interest, for the purpose of developing and monitoring collaborative projects. Such meetings will take place at least once every 3 (three) months to, for example:
 - I. discuss technical and operational issues related to furthering the objectives of this Memorandum, and

Ny8
V.A.S.T.C.
8

II. review progress of cooperation activities.

4. Fundraising

- (a) To the extent permitted by the Parties' respective statutes, regulations, rules and policies, and subject to the below second paragraph of the present clause No.4, the Parties may engage in fundraising from the public and private sectors to support the activities, projects and programmes to be developed or carried out pursuant to this Memorandum.
- (b) Neither Party will engage in fundraising with third parties in the name of or on behalf of the other, without the prior express written approval of the other Party in each case.

5. Intellectual property rights

- (a) Nothing in the Memorandum shall be construed as granting or implying rights to, or interest in, intellectual property of the Parties, except as otherwise provided in the second paragraph of the present clause No.5.
- (b) In the event that the Parties foresee that intellectual property that can be protected shall be created in relation to a particular activity, project or programme to be carried out under this Memorandum, the Parties will negotiate and agree on terms of its ownership and use in the relevant legal instrument concluded as per the clause No. 1 above.

6. Use of Names and Emblems

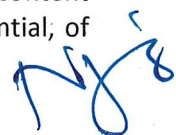

- (a) Neither Party shall use the name, emblem or trademarks of the other Party, its subsidiaries and/or affiliates, or any abbreviation thereof, in connection with its business or for public dissemination without the prior expressly written approval of the other Party in each case.
- (b) In no event will authorization of each Party's name or emblem be granted for commercial purposes.
- (c) The Parties agree to recognize and acknowledge this partnership, as appropriate. To this end, the Parties shall consult with each other concerning the manner and form of such recognition and acknowledgement.

7. United Nations Privileges and Immunities

Nothing in or relating to this Memorandum shall be deemed a waiver, express or implied, of any of the privileges and immunities of the United Nations, including its subsidiary organs.

8. Confidentiality

- (a) The handling of information shall be subject to each Party's corporate confidentiality policies. Before disclosing internal documents, or documents that by virtue of their content or the circumstances of their creation or communication must be deemed confidential, of


T.A.S.T.-C.


the other [*or* another] Party to third parties, each Party shall obtain the express, written consent of the other Party [*or* concerned Parties]. However, a Party's disclosure of another Party's internal and/or confidential documents to an entity the disclosing Party controls or with which it is under common control, or to an entity with which it has a confidentiality agreement, shall not be considered a disclosure to a third party, and shall not require prior authorisation.

- (b) For UN Environment, a principal or subsidiary organ of the United Nations established in accordance with the Charter of the United Nations shall be deemed to be a legal entity under common control.

9. Responsibility

Each Party will be responsible for dealing with any claims or demands arising out of its actions or omissions, in relation to this Memorandum.

10. Dispute Settlement

- (a) In the event of a dispute, controversy or claim arising out of or relating to this Memorandum, the Parties will use their best efforts to promptly settle such dispute through direct negotiation.
- (b) Any dispute that is not settled within 60 (sixty) days from the date either Party has notified the other Party of the nature of the dispute and of the measures that should be taken to rectify it, will be resolved through consultation between the heads of the respective UN entities.

11. Notification and Amendments

- (a) Each Party will promptly notify the other in writing of any anticipated or actual material changes that will affect the execution of this Memorandum.
- (b) The Parties may amend this Memorandum, including in order to extend its duration, by prior mutual written agreement, which shall be appended to this Memorandum and become an integral part of it.

12. Duration and Termination

- (a) This Memorandum will be effective upon the last date of signature, by the duly authorized approving officials, and remain in force for 5 (five) years. It shall tacitly and automatically be renewed for another period of 5 (five) years, unless terminated in accordance with the below paragraphs.
- (b) Either Party may terminate this Memorandum by giving 30 (thirty) days' prior written notice to the other Party.

NJC
J. A. S. C.
[Signature]

- (c) Upon termination of this Memorandum, the rights and obligations of the Parties defined under any other legal instrument executed pursuant to this Memorandum will cease to be effective, except as otherwise provided in this Memorandum.
- (d) Any termination of the Memorandum will be without prejudice to (i) the orderly completion of any ongoing collaborative activity and (ii) any other rights and obligations of the Parties accrued prior to the date of termination under this Memorandum or legal instrument executed pursuant to this Memorandum.
- (c) The obligations under clauses No. 5 to 10 do not lapse upon expiry, termination of or withdrawal from this Memorandum.

13. Additional Parties

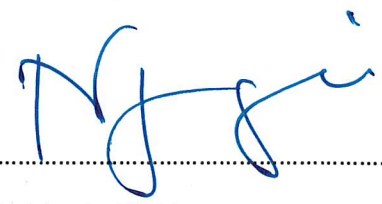
Another entity seeking to become a Party to this Memorandum must notify the other Parties in writing of its wish, providing its reasons and intended contributions. Following consultation, should all the Parties agree in writing to the requesting entity's accession to the Memorandum, UNEGSA or NSU, acting on behalf of the other Parties, shall effectuate the accession as a Party to the Memorandum by exchanging letters with the requesting entity.

IN WITNESS WHEREOF, the duly authorized representatives of the Parties affix their signatures below.

For UNEGSA:

For NSU:


.....
Ms. Malika Amélie Sonia Taoufiq-Cailliau
President


.....
Mr. Martin Njuhigu
President

Date: 29 July 2019

Date: 27 / 08 / 2019

Annexes:

Annex 1 – Statutes of UNEGSA

Annex 2 – Statutes of NSU

Y.A. S.C.
8
Nye

Annex I – Statutes of UNEGSA

H.A.S.D.C.
J. Nyir

**Statutes¹
of the
Association
of the
Staff of the United Nations Environment Programme
in
Geneva
- 'UNEGSA'**

V.A.S.T.C.
[Signature] *NYS*

¹ As adopted, with amendments, by the General Assembly of UNEGSA at its first meeting held on 31st May 2018.

administered by the United Nations Environment Programme, and the existing common standards governing the conditions of service of their staff in Geneva;

Mindful of the need to unify their efforts;

Hereby agree to establish an Association of the staff of the United Nations Environment in Geneva, the Statutes of which are set forth hereunder.

J.A.S.T.C. N.Y. 8
[Signature]

The aims and objectives of the Association shall be:

- (a) To defend and promote the legitimate professional, social and economic interests of all staff members of the United Nations Environment Programme in Geneva, including of MEAs' Secretariats administered by the UN Environment Programme, and including staff members formerly employed;
- (b) To represent its Members in all negotiations and consultations, whether within the UN Environment Programme or interagency;
- (c) To coordinate the activities of its Members and take any joint action that is in the general interest of its Members;
- (d) To ensure mutual assistance between its Members;
- (e) To promote the social, cultural and economic interests of the staff members as a whole through cooperative undertakings;
- (f) To cooperate and ensure coordination with all federations of international civil servants associations, staff associations or unions or entities throughout the United Nations family with similar objectives.

Chapter IV

MEMBERSHIP

Article 4

1. Nominal membership shall be open to any persons employed as staff members of the UN Environment Programme in Geneva, including staff members of MEAs' Secretariats as administered by UN Environment in Geneva, holding a valid UN employment contract, i.e. whose terms and conditions of service, or essential elements thereof, are determined by the relevant United Nations common system bodies.

2. All other personnel working at the UN Environment Programme in Geneva, such as interns, long-term seconded staff, consultants, etc., may not be eligible to be a Member *per se* but the Association shall include consideration of their welfare, and a status of Associate Member shall be available to them. Associate Members may participate in activities, meetings and events of the Association but may not vote.

3. All Members shall:

- (a) abide by the present Statutes;
- (b) act in the interests of the Association and portray the organisation in good standing;

Njg
V.E.A.S.V.C.
[Signature]

Article 8

1. The General Assembly shall hold two ordinary sessions a year. An extraordinary session may be convened by the Executive Committee or upon the request of three Members. The reports of the General Assembly shall be distributed to all Members.
2. Notification of the meeting shall be made no less than 15 (fifteen) working days before an ordinary session and, except in case of emergency, no less than 5 (five) working days before an extraordinary session. The Executive Committee is competent to decide whether there is a case of emergency.

Article 9

The General Assembly shall have the following tasks:

- (a) To define the policy of the Association;
- (b) To consider any matter referred to it by the Executive Committee or by Members;
- (c) To approve the admission of a new Member or the suspension of the rights of a Member whose conduct is in violation of the letter or spirit of the present statutes;
- (d) To establish the Association's work programme and, in particular, recommend to the Members individual or collective actions to be taken;
- (e) To adopt the annual budget of the Association, to fix the contribution of each Member and approve the accounts of the Association;
- (f) To elect the Members of the Executive Committee;
- (g) To nominate 2 (two) auditors.

Article 10

The General Assembly may establish subsidiary bodies to assist it in carrying out its duties. It shall define their terms of reference and elect the officers.

Article 11

1. The presence of two thirds of the Members of the Association shall form a quorum for a General Assembly.
2. However, if the quorum is not reached, the General Assembly may take decisions subject to ratification within 5 (five) working days; this period may be reduced to 24 (twenty-four) hours in the case of an emergency. A decision shall become final if the total of votes cast against during the session and the ratification procedure does not reach a majority.

Article 12

Ny8
P.A.S.-C
[Signature]

In the event of a vacancy, the Executive Committee may co-opt a member, or his/her alternate, from among the Members of the Association for the period remaining until the next ordinary General Assembly which, where relevant, shall be requested to confirm the choice.

Article 17

The Executive Committee shall meet on a monthly basis or, between ordinary sessions, upon convocation by the President.

Article 18

The Executive Committee shall establish its rules of procedure and the financial rules of the Association.

Chapter VI

DUTIES AND RESPONSIBILITIES OF THE MEMBERS OF THE EXECUTIVE COMMITTEE

Article 19

1. The President:

- (a) shall be the spokesperson for the Association;
- (b) shall preside over all meetings of the General Assembly and Executive Committee;
- (c) shall certify payments approved by the Executive Committee;
- (d) shall deal with and sign the correspondence of the Association.

2. The Vice-President:

shall assist the President and replace him/her in his/her absence.

3. The General Secretary:

- (a) shall be the Secretary to all meetings of the General Assembly and the Executive Committee;
- (b) shall keep a record of each meeting, as well as the files of the Association;
- (c) shall distribute all documents;
- (d) shall have any other related responsibilities as are entrusted to him/her by the President and the Executive Committee.

4. The Assistant General Secretary:

Njt
T.A.S.T.C.
O

Article 20

1. The Association shall be financed by regular yearly or monthly contributions of its Members and by voluntary contributions, donations or bequests. The acceptance of any offer to which conditions are attached shall be subject to approval by the General Assembly on the recommendation of the Executive Committee.
2. The annual contributions shall be paid during the month which follows the adoption of the Association's annual budget.

Article 21

Withdrawals of money shall require the combined signatures of the Treasurer and the President (or, in his/her absence, the Vice-President).

Article 22

1. The yearly or monthly contributions of each Member shall be fixed by the General Assembly on the recommendation of the Executive Committee.
2. The Executive Committee shall determine specific fees, if any, for Associate Members with an income.

Article 23

A Member which is in arrears with its contributions by the opening date of an ordinary session of the General Assembly may, by decision of the General Assembly, be deprived of its right to vote or present candidates to the Executive Committee at that session.

Article 24

The accounts of the Association shall be submitted on an annual basis to the auditors, who shall report directly to the General Assembly.

Njt

J.A.S.E

Annex II – Statutes of NSU

NJS

~~A.S.C.~~
SO

STATUTE AND RULES OF PROCEDURE OF THE
STAFF UNION OF THE UNITED NATIONS AT
NAIROBI

5 March 1999

NJG
V.A.S.T.C.
—o

B.	RULES AOF PROCEDURE OF GENERAL MEETINGS OF THE NAIROBI STAFF UNION.....	17
C.	RULES OF PROCEDURE OF THE STAFF COUNCIL.....	20
D.	FINANCIAL RULES.....	28

Ny8

T.A.S.T.C.


CHAPTER II. MEMBERSHIP

Article 4

1. All staff of the United Nations Centre for Human Settlements (UNCHS), United Nations Environment Programme (UNEP) and United Nations Office at Nairobi (UNON) are members of the Nairobi Staff Union.
2. For the purposes of this Statute, any person occupying a post in the Secretariat of UNCHS, UNEP and UNON on any type of appointment, and who has taken the oath of office, shall be considered a member of the Nairobi Staff Union.
3. Every year, each staff member shall pay to the Union, membership fee, to be determined by the Staff Council and approved by the General Meeting.

CHAPTER III. AFFILIATION

Article 5

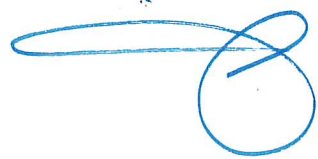
1. Staff members of any other of the United Nations Organizations, Agencies or Offices based in Nairobi may be affiliated to the Nairobi Staff Union if they so choose, in respect of matters relating to the rights, interests welfare, responsibilities and obligations of the United Nations at the Nairobi duty station, provided that they accept the objectives of the Nairobi Staff Union.
2. The application for affiliation status of any such Organization, agency or Office based in Nairobi shall be discussed and endorsed by the Staff council of the Nairobi Staff Union.

CHAPTER IV. ORGANIZATION

Article 6

The functions of the Nairobi Staff Union shall be exercised through:

- (a) The General Meetings;
- (b) The Staff Council;
- (c) The Executive Committee;
- (d) Organizational units (UNCHS, UNEP, UNON).

NJS
P.A.S.T.C.



CHAPTER VI. PRESIDENT AND VICE-PRESIDENTS

Article 12

1. There shall be a President elected through secret ballot by all members of the Nairobi Staff Union on the basis of article 4, paragraph 2.
2. The term of office of the President shall be two years. The President may be re-elected for more terms of two years each following the expiry of the first term.
3. In the event of the post of President falling vacant for whatever reason before end of the term of office, the first Vice-President shall act as President for an interim period not exceeding ninety days during which fresh elections shall be called to fill up the post of President to complete the remaining term of office.
4. Any Staff member who pays dues to the Nairobi Staff Union for at least one year is eligible to stand for election.
5. Only paid up members shall be eligible to vote in an election.
6. The polling Officers shall determine the eligibility of nominees on the basis of Article 4, paragraph 2.
7. Nomination for Presidential candidates shall be signed by at least 50 staff members.

Article 13


1. The Staff Council shall elect from among its members, two vice-presidents, one each from the two remaining Organizational units of UNCHS, UNEP or UNON other than that from where the President shall have been elected. The term of office of the Vice Presidents shall coincide with that of the President. The Vice-Presidents may be re-elected for more terms of two years each.
2. The candidate obtaining a majority of votes shall be declared the first Vice-President and the runner-up candidate shall be declared the Second Vice-President. If on the first ballot no candidate obtains a majority vote, a second ballot shall be held which shall be confined to the two candidates obtaining the highest number of votes on the first ballot.
3. Only Staff Council representatives shall have the right to vote for the two Vice-Presidents. Their alternates may vote when the representatives are not present. Members who abstain from voting are considered as not voting.

NYS
N.A.S.T.C.


4. The President shall keep a record of the decisions and distribute it to Council members and on request to any members of the staff Union.
5. The rules of procedure for general meetings of the decisions and distribute it to Council members and on request to any members of the Staff Union.
6. Only members of the Staff Council shall have the right to vote, alternates may vote when the members are not present. Decisions of the Staff Council shall be taken by majority of those present and voting. Any abstention from voting shall be considered as not voting.
7. Decisions taken by the Staff Council shall be binding on the Executive committee.

Article 18

- 1 The Staff Council shall consist of 24 members elected on the basis of Organisational units, except in so far as the number may be two more or less as provided in paragraphs 2 and 3.
- 2 Each Organisational unit away from Nairobi Headquarters shall have that number of representatives from both professional and general service staff level which bears the same proportion as the number of staff members in that unit bears to the total number of such staff members.
- 3 Each Organisational unit away from Nairobi Headquarters shall nominate a liaison person from one of the members of Staff Council to represent staff members in those Organisational unit away from Nairobi.
4. Those electoral units which are entitled to two representatives may decide, at a Unit meeting, to be represented as single Electoral Unit with two representatives.
5. Those electoral units which do not have enough staff members to be entitled to separate representation on the Staff Council shall, after consultation with the staff concerned, be grouped into one or more electoral units, each of which shall have one representative, taking into account organizational factors, and making them as nearly equal in size as possible.
6. The Polling Officers shall be responsible for defining Electoral units on the basis of the staff list as of 30 August preceding the election. Representations may be made to the Staff Council by the staff members in the proposed Electoral Units within three weeks of the communication of the preliminary division. The Staff Council shall make a further examination and communication the approved electoral Units to the second Ordinary General Meeting.

NJB
T.A.S.T.C


4. The approved minutes of meetings shall be sent to all members of the Staff Council.
5. The rules of procedure for general meetings of the Nairobi Staff Union shall apply by necessary implication to the meetings of the Executive Committee. The Executive Committee may adopt additional rules of procedure it deems necessary for the conduct of its business.

CHAPTER IX. SUB-COMMITTEES AND OTHER SUBSIDIARY BODIES

Article 21.

1. Both the Staff Council and the Executive Committee may establish such subcommittee and other subsidiary bodies as they consider desirable, and may invite members of the Nairobi Staff Union to take part in the work of such sub-committees and subsidiary bodies.

CHAPTER X. REFERENDUM

Article 22.

1. A referendum shall be held upon a decision of the Staff Council or at the written request of at least 200 staff members. An interval of at least ten working days shall be allowed between the communication to the members of the Nairobi Staff Union of any question to be submitted to a referendum and the recording of votes.
2. The referendum shall be conducted by the Polling Officers. The text of questions to be submitted to a referendum shall be communicated to the Polling Officers by the Executive Committee. The task of the Polling Officers ends when they have communicated the results of the referendum to the members of the Nairobi staff Union.
3. Decisions shall be taken by a majority of those voting in the referendum. Abstention shall not be considered as voting.
4. If there is equality of votes, the issue shall be regarded as having been defeated.
5. If the issue is defeated it shall not be submitted to referendum again until at least twelve months have expired.
6. Decisions taken by a referendum shall be final and binding on all organs of the Nairobi Staff Union.

NJS
T.A.S.U.C.
8

3. If both representative and alternate resign or are recalled the Polling Officers shall immediately conduct a by-election to fill the vacancies.

4. Notification or any resignation or recall shall be forwarded to the President of the Staff Council. A resignation shall take effect on the date on which the notification for resignation has been normally accepted by the President.

Article 27.

1. Organizational Units may form staff Committee consisting of their representatives and alternates on the Staff Council.

2. Each staff Committee may draw up its rules of procedure in accordance with the relevant provisions of the Statute.

CHAPTER XII. POLLING OFFICERS

Article 28.

1. There shall be six Polling officers drawn equally from the three organizational units.

2. The Polling Officers shall be nominated and elected for two years at the General Meeting which shall be convened by the President of the Staff Council between 1 and 30 August.

3. The Polling Officers shall take office immediately upon election and serve until new Polling Officers have been elected as prescribed above.

4. If, for any reason, the number of Polling Officers falls below three, the vacancies shall be filled at the next General Meeting.

5. Polling Officers shall be eligible for re-election.

6. No Polling Officer shall be a candidate for election to the Staff Council.

Article 29.

1. The Chairperson of the outgoing Polling Officers shall convene, as soon as possible, a meeting of the newly elected Polling Officers.

2. The Chairperson of the outgoing Polling Officers shall preside without a vote at the meeting of the newly elected Polling Officers until they have elected their Chairperson.

NJS
H.A.S.T.C
8

CHAPTER XIII. RELATIONSHIP WITH MEMBERS OF THE NAIROBI STAFF UNION SERVING AWAY FROM NAIROBI HEADQUARTERS

Article 31

The Executive Committee shall maintain contact with any representative bodies established by members of the Staff Union serving away from Nairobi Headquarters. The relationship between the Executive Committee and such representative bodies may be defined by agreements between the Staff Council and the bodies concerned.

CHAPTER XIV. RELATIONSHIP WITH CCISUA AND STAFF ORGANIZATIONS OF SPECIALIZED AGENCIES

Article 32

The Nairobi Staff Union shall be a member of the Coordinating Committee of the International Staff Unions and Associations of the United Nations System (CCISUA). It shall also maintain contacts with other federations of international civil servants, as well as with the staff associations of other UN system agencies and programmes, and other international organisations.

CHAPTER XV. FINANCIAL RULES

Article 33

The fiscal period shall coincide with the term of office of the Staff Council.

Article 34

The revenue of the Nairobi Staff Union shall be derived from staff contributions, investment income and such other contributions as the Staff Council may decide.

Article 35

The custody of any and all funds and the maintenance of accounts thereof shall be the responsibility of the Treasurer of the Executive Committee. The duties of the Treasurer shall be:

- (a) To act as collector and disbursement officer;
- (b) To submit to the Staff Council an annual report showing the state of the accounts as well as any other report it may request;
- (c) To organise, with the help of the Assistant Treasurer, collection of dues and contributions;
- (d) To organise the collection of voluntary contributions.

Ny
T.A.S.C.
[Signature]

Article 40

Two-thirds majority of those members voting in a referendum may dissolve the Nairobi staff Union. The disposition of the Nairobi Staff Union funds, proposed by the Staff Council, shall be decided by a two-thirds majority of those voting in a referendum.

B. RULES OF PROCEDURE OF GENERAL MEETINGS OF THE NAIROBI STAFF UNION

Rule 1

General meetings of the Nairobi Staff Union shall be held at the Nairobi Headquarters of the United Nations Office at Nairobi unless convened elsewhere by a decision of the Staff Council.

Rule 2

The President of the Staff Council shall preside over general meetings of the Staff Union.

Rule 3

No quorum is required.

Rule 4


The President shall declare the opening and closing of each meeting, direct its discussions, ensure observance of these rules, accord the right to speak, put questions and announce decisions. He or she shall rule on points of order. Subject to these rules, he or she shall have complete control of the proceedings and over the maintenance of order at the general meetings.

Rule 5

No intervention by a member of the Staff Union on any agenda item may exceed five minutes, unless a motion to permit him or her to continue is adopted by the meeting.

Rule 6

The general meeting shall adopt or amend the provisional agenda drawn up in accordance with the provisions of Articles 8 and 9 of the Statute.

NJB
17.15.15


5. When an amendment is moved to a proposal, the amendment shall be voted on first. When two or more amendments are moved to a proposal, the general meeting shall vote first on the amendment furthest removed from the proposal.

6. If two or more proposals relate to the same question, the general meeting shall, unless it decides otherwise, vote on the proposals in the order in which they have been submitted. The general meeting may, after each vote on a proposal, decide whether to vote on the next proposal.

7. The president shall restate any motion before it is put to the vote.

8. Voting shall be done by show of hands.

Rule 10

1. The general meeting shall conduct its business in English or any of the other working languages of the United Nations.

2. Summary records of the general meetings shall be drawn up under the response of the President and, whenever possible, sound recordings will be made.

3. The summary records shall be available to any member of the Nairobi Staff Union through the representative of his/her Electoral Unit, and may be made available to all members.

Rule 11

The present rules of procedure may be amended by a simple majority of the general meeting after the Staff Council has reported on the proposed amendment.

Rule 12

On any matter not provided for in the present rules of procedure, the President shall decide, subject to an appeal from his or her decision in accordance with rule 7, paragraph 1.

NJS

Y.A.S.T.C
B

Rule 7

The provisional agenda shall include:

- (a) Adoption of the agenda
- (b) Approval of records of the previous meeting of the Staff Council;
- (c) Summaries of all communications addressed to the Staff Council and to the Executive Committee;
- (d) Report of the Executive Committee;
- (e) Reports of the committees of the Staff Council;
- (f) Items which the Executive Committee deems necessary to put before the Council;
- (g) Items proposed by the Council at any previous meeting;
- (h) Items proposed in writing by any member of the Staff Council.

III DUTIES OF OFFICERS

Rule 8

The President of the Nairobi Staff Union shall declare the opening and closing of each meeting of the Staff Council, shall direct its discussions, ensure observance of these rule, accord the right to speak, put questions and announce decisions. He or she shall rule on points of order, and subject to these rules, shall have complete control of the proceedings of the Staff Council and over the maintenance of order at its meetings.

Rule 9

In the absence of the President during a meeting or any part thereof, the First Vice-President or in his/her absence the Second Vice-President shall take his or her place. Any of the Vice-Presidents acting as President shall have the same powers and duties as the President.

Rule 10

In the event that the President and the two Vice-Presidents are absent, an officer of the Executive Committee shall preside during the election by the Council of an ad hoc President. The ad hoc President shall have the same powers and duties as the President and shall hold office until either the President or any of the two Vice-Presidents returns.

NJS

N.A.S.T.C
B

V. RECORDS AND LANGUAGES

Rule 18

The Staff Council may conduct its business in English or any other official language.

Rule 19

As a general rule the Secretary of the Executive Committee shall draw up records of meetings. These records shall be drawn up in English unless the Staff Council requests a translation in any of the other United Nations official languages in respect of a specific meeting or part thereof.

Rule 20

A copy of the records of all Staff Council meetings shall be sent to each member and alternate and to the Chairpersons of Electoral Units, and shall be available on request to any members of the Staff Union (article 17(4) of the Statute).

VI. ALTERNATES

Rule 21

Whenever a member of the Staff Council is unable to attend all or part of a meeting of the Staff Council, his alternate shall take his place. Such alternate shall have the full rights of the member he or she is representing.

Rule 22

Without prejudice to rule 21 above, alternates are at any time entitled to attend meetings of the Staff Council, may make statements on matters before the Council, may have the right to take part in the discussions, but do not have the right to vote.

VII. SUBSIDIARY BODIES OF THE STAFF COUNCIL

Rule 23

The Staff Council may appoint such committees as are deemed necessary.

NYS

T.A.S.C.
[Signature]

No decision of the Staff Council shall be valid unless a quorum of the Council was present at the time of voting.

Rule 31.

The President shall call upon speakers in the order in which they signify their desire to speak.

Rule 32.

During the discussion of any matter, any member may raise a point of order, and the point of order shall be immediately decided by the President in accordance with the rules. Any member may appeal against the ruling of the President. The appeal shall be immediately put to a vote and the President's ruling shall stand unless over-ruled by a majority of the members present and voting.

Rule 33.

During the discussion of any matter, a member may move a motion:

- (a) to suspend the meeting;
- (b) to adjourn the meeting;
- (c) to adjourn the debate of the item under discussion; or
- (d) to close the debate on the item under discussion.

On person may speak in favor and one against the motion, which thereupon shall be immediately put to a vote.

Rule 34.

Subject to rule 32, motions shall have precedence over all other proposals or motions in the order in which they are listed in rule 33.

Rule 35.

The Staff Council may limit the time to be allowed to speakers.

Rule 36.

A motion may be withdrawn by its proposer at any time before the commencement of vote on it, provided that the motion has not been amended. A motion which has thus been withdrawn may be reintroduced by another member during the same meeting.

NYS

P.A.S.T.C.
[Signature]

Rule 44.

If a vote is equally divided on matters other than elections, the President shall exercise a casting vote.

XI. RECONSIDERATION OF DECISIONS

Rule 45.

(1) When the Council has adopted or rejected a proposal, discussion on the proposal shall not be reopened within twelve months unless the Council, by a two-thirds majority of the members present and voting, so decides. Before the vote, the representative moving the motion to the matter reopened shall explain why such action is necessary.

(2) Permission to speak on a motion to re-open discussion shall be accorded only to two speakers opposing the motion, after which it shall be immediately put to a vote. The vote to re-open discussion shall not take place unless the proposal to vote has appeared on the provisional agenda circulated in advance of the meeting at which the vote takes place. Once discussion has been reopened, no changes shall be made to the previously adopted or rejected proposal unless the Council so decides to a two-thirds majority of the representatives present and voting.

XII. AMENDMENTS

Rule 46.

The present rules may be amended by a majority decision of the Council. Before voting on a proposed amendment, the Council shall obtain a report on it either from one of the standing committees or from a specially appointed sub-committee, as the Council may decide. Nevertheless, the requirement that proposed amendments be studied by a committee before being voted on by the Council may be waived by a two-thirds majority vote of members of the Council present and voting.

XIII. FINAL PROVISIONS

On any matter not provided for in the represent rules, the President shall decide, subject to an appeal against his/her ruling, in accordance with the provisions of rule 32 above.

ny8
T. AS. TC.
f

NJS

1. ACC
24