



Administrative Instruction – Instruction administrative

Ref. ICC/AI/2015/001

Date: 20 February 2015

SELECTION REVIEW BOARD

The Registrar in consultation with the President and the Prosecutor, and pursuant to paragraph 5 of the annex to Resolution ICC-ASP/1/Res.10, adopted by the Assembly of States Parties on 9 September 2002 and incorporated as an appendix into the Staff Regulations of the International Criminal Court, adopted by the Assembly of States Parties as Resolution ICC-ASP/2/Res.2 on 12 September 2003, herewith establishes a selection committee, referred to as the Selection Review Board.

Section 1

Membership

- 1.1. The Selection Review Board shall be composed of:
 - (a) Eight members appointed by the Registrar from the Registry and other organs (five in the Professional and Higher Categories and three in the General Service Category) and six members appointed by the Prosecutor from the Office of the Prosecutor (four in the Professional and Higher Categories and two in the General Service Category); and
 - (b) Six members designated by the Staff Union Council (three from the Registry and other organs, appointed by the Registrar, and three from the Office of the Prosecutor, appointed by the Prosecutor).
- 1.2. The members of the Selection Review Board shall be staff members of the Court holding a fixed-term appointment of at least one year. Every effort shall be made to select members based on a balanced geographical and gender representation as well as an even distribution of the organs of the Court.
- 1.3. The members of the Selection Review Board shall elect two persons from their midst to serve as Chairperson and Alternate Chairperson at the beginning of each term of office.

- 1.4. The Chief of the Human Resources Section (HRS) shall participate as *ex officio* in the meetings of the Selection Review Board with no right to vote. For this purpose, the Chief of the HRS may designate a representative and an alternate representative, who must be staff members of the HRS.
- 1.5. Members of the Selection Review Board shall be appointed for two years. Members may be re-appointed for further two-year periods in accordance with section 1.1.
- 1.6. Each panel of the Selection Review Board shall be composed of three members, namely a Rapporteur and two additional members, provided that one of the three members shall be designated by the Staff Union Council as indicated in 1.1(b) above. To the extent possible, subject to availability, due regard shall be paid to geographical and gender representation and distribution of different organs of the Court. An HRS representative shall also participate in the review process as *ex officio*.
- 1.7. In reviewing a specific selection process, where a member of a panel of the Selection Review Board has personal or professional interests that would constitute a clear conflict of interest, whether perceived or actual, such member shall inform the Chairperson in writing and recuse him or herself. To the extent possible, the member recusing himself or herself shall be replaced in such a way as to maintain the composition set out in section 1.6 above.
- 1.8. A member of the Selection Review Board who has participated in the selection process shall not participate in the panel of the Selection Review Board constituted to review the specific recruitment case. The *ex officio* HRS representative shall not have participated in the work of the Selection Panel, whether as a voting member or in an *ex officio* capacity.

Section 2

Mandate

- 2.1. The Selection Review Board shall provide advice to the Registrar or the Prosecutor, as appropriate, on the selection process leading to the decision to appoint a candidate to a fixed-term position, irrespective of its duration or source of funding, or to place a candidate on a roster for such potential subsequent fixed-term appointments.
- 2.2. In providing its advice, the Selection Review Board shall review the process for filling a position or for rostering purposes for all positions in the Professional and Higher Categories and General Service Category.
- 2.3. The Selection Review Board shall examine whether the selection process complied with the procedural requirements set out in the applicable legal texts including the Staff Regulations and Rules and administrative issuances or guidelines such as the ICC Recruitment Guidelines for Established Posts: Professional and higher and General Service categories dated 2 November 2009 and Information Circular ICC/INF/2014/011 on Principles and Procedures Applicable to Decisions Arising from the ReVision Project dated 19 August 2014.

- 2.4. The Selection Review Board shall base its review on the report of the Selection Panel, and any other relevant documentation it may deem necessary, such as those specified in sections 3.2 and 3.3 below.
- 2.5. The evaluation of a candidate's suitability is solely within the remit of the Selection Panel. The Selection Review Board shall not substitute its own assessment of a candidate's suitability for that of the Selection Panel.

Section 3

Procedure

- 3.1. The work of the Selection Review Board may be carried out through virtual means, permitting the participation of staff members from all duty stations. Deliberations shall take place via the most efficient possible means, whether asynchronously (e.g. via email), through face-to-face meetings, telephone and / or videoconferences.
- 3.2. The Chief of the HRS or his or her designated representative shall provide the panel of the Selection Review Board constituted to review the specific selection process with the following documentation:
 - (a) Vacancy announcement;
 - (b) Complete list of applicants;
 - (c) Shortlisting criteria;
 - (d) Shortlist of applicants;
 - (e) Selection Panel report;
 - (f) Personal History Forms of the short-listed applicants, including curriculum vitae and letters of intent, if any;
 - (g) Monthly report on geographical representation and gender balance as appropriate.
- 3.3. Simultaneously with the provision of the documentation in section 3.2 above, the Chief of the HRS or his or her designated representative shall explain the procedures followed and provide any relevant information concerning the selection process.
- 3.4. A panel of the Selection Review Board shall review the selection process as mandated in section 2 above and provide advice to the Registrar or the Prosecutor, as appropriate.
- 3.5. Where a panel of the Selection Review Board finds that the procedural requirements were followed, it shall sign the report confirming that finding.
- 3.6. After receiving the documentation listed in section 3.2 and the information described in section 3.3, if the Panel of the Selection Review Board has questions or doubts regarding the application of the selection procedure, or finds that the procedural requirements were not followed, it shall transmit said questions, doubts and/or findings in writing to the Registrar or the Prosecutor, as appropriate, without requesting any further information from the Selection Panel or its members.

- 3.7. In arriving at its conclusions, the Selection Review Board shall attempt to achieve unanimity. Where this is not possible, this fact shall be stated in the report and the Selection Review Board shall transmit the advice of the majority.
- 3.8. The Selection Review Board shall provide its advice to the Registrar or the Prosecutor, as appropriate, no later than five (5) working days following receipt of the relevant documentation from the HRS as referred to under sections 3.2 and 3.3. Should the Selection Review Board not transmit its advice within such time, the Registrar or the Prosecutor, as appropriate, may proceed to a selection decision without the Board's advice.
- 3.9. The Registrar or the Prosecutor, as appropriate, shall retain the discretion whether to follow the advice of the Selection Review Board. Feedback on the Selection Review Board's advice may, from time to time, be transmitted to the Board on behalf of the Registrar or the Prosecutor, as appropriate.
- 3.10. In performing their duties, members of the Selection Review Board shall act independently and in accordance with this Administrative Instruction.
- 3.11. Members of the Selection Review Board shall be bound by confidentiality. To this effect, before taking up their duties, each member shall sign a confidentiality statement.

Section 4

Transitional Measures

- 4.1. The Selection Review Board's mandate shall only extend to selection processes arising from vacancy announcements issued on or after the entry into force of this Administrative Instruction.
- 4.2. The Selection Review Board's mandate shall not extend to proposed selections to a fixed-term position funded from General Temporary Assistance (GTA), nor to proposed placements on a roster as a result of a selection process for a fixed-term position funded from GTA. This limitation of the mandate of the Board shall expire in respect of selection processes arising from vacancy announcements issued on or after 23 August 2015.
- 4.3. Notwithstanding sections 4.1 and 4.2, upon entry into force of this Administrative Instruction, the Selection Review Board's mandate shall apply to all selection processes relevant to the *ReVision* Project in accordance with paragraph 32 of Information Circular ICC/INF/2014/011 on Principles and Procedures Applicable to Decisions Arising from the *ReVision* Project dated 19 August 2014.

Section 5

Entry into Force

- 5.1. This Administrative Instruction shall enter into force on 20 February 2015 and shall supersede any earlier administrative instructions, information circulars, guidelines and practices previously followed on the subject, in particular Information Circular ICC/INF/2006/006 on the Selection Committee.
- 5.2. This Administrative Instruction shall be subject to review at the latest one year after its entry into force.

Herman von Hebel
Registrar