

## **COUNCIL**

### **Fourth Special Session**

#### **REPORT ON THE**

#### **FOURTH SPECIAL SESSION OF THE COUNCIL\***

Geneva

Wednesday, 28 October 2020

Rapporteur: Mr L.A. Gberie (Sierra Leone)

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\* This report was approved by the Council at its 111th Session through the adoption of Resolution No. 1388 of 24 November 2020.



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## DRAFT REPORT ON THE FOURTH SPECIAL SESSION OF THE COUNCIL

### Introduction

1. Pursuant to Resolution No. 1383 of 29 November 2019, the Council convened for its Fourth Special Session, originally planned for April 2020; however, as a result of the coronavirus disease 2019 (COVID-19) pandemic, the session was held on Wednesday, 28 October 2020, at the Centre International de Conférences Genève. One meeting was held, with some delegates following proceedings online. The meeting was chaired by Mr Morten Jespersen (Denmark).

### Attendance<sup>2</sup>

2. The following Member States were represented.

Afghanistan	Colombia	Iceland	Morocco	Sri Lanka
Albania	Congo	India	Myanmar	Sudan
Algeria	Costa Rica	Iran (Islamic Republic of)	Namibia	Sweden
Angola	Côte d'Ivoire	Ireland	Nepal	Switzerland
Argentina	Croatia	Israel	Netherlands	Thailand
Armenia	Cuba	Italy	Nicaragua	Togo
Australia	Cyprus	Jamaica	Niger	Trinidad and Tobago
Austria	Czechia	Japan	Nigeria	Tunisia
Azerbaijan	Denmark	Jordan	Norway	Turkey
Bahamas	Djibouti	Kazakhstan	Pakistan	Ukraine
Bangladesh	Ecuador	Kenya	Panama	United Kingdom
Belarus	Egypt	Lao People's Democratic Republic	Peru	United Republic of Tanzania
Belgium	El Salvador	Latvia	Philippines	United States of America
Bolivia (Plurinational State of)	Estonia	Libya	Poland	Uruguay
Bosnia and Herzegovina	Eswatini	Lithuania	Portugal	Vanuatu
Botswana	Ethiopia	Luxembourg	Republic of Korea	Venezuela (Bolivarian Republic of)
Brazil	Finland	Madagascar	Republic of Moldova	Viet Nam
Bulgaria	France	Maldives	Romania	Yemen
Burkina Faso	Gabon	Mali	Rwanda	Zambia
Burundi	Gambia	Malta	Senegal	Zimbabwe
Cabo Verde	Greece	Marshall Islands	Serbia	
Cameroon	Guatemala	Mauritania	Seychelles	
Canada	Guyana	Mauritius	Sierra Leone	
Chad	Haiti	Mexico	Slovakia	
Chile	Holy See	Mongolia	Slovenia	
China	Honduras	Montenegro	South Africa	
	Hungary		Spain	

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<sup>2</sup> The list of participants is contained in document C/Sp/4/7. Unless otherwise indicated, all documents are available on the Council section of the IOM website.

### **Credentials of representatives**

3. The Council noted that the Director General had examined the credentials of the representatives of the Member States listed in paragraph 2 and found them to be in order.

### **Adoption of the agenda**

4. The provisional agenda contained in document C/Sp/4/1 was adopted by the Council and subsequently issued as document C/Sp/4/6.

### **Status report on outstanding contributions to the Administrative Part of the Budget and Member State voting rights**

5. The Administration reported that, as no further payments had been received since document C/111/4/Rev.1 had been issued, the number of Member States subject to Article 4 of the IOM Constitution remained 30; of those, 14 had lost their voting rights.

6. The Council took note of document C/111/4/Rev.1 and of the additional information provided by the Administration.

### **Working group established by Council Resolution No. 1383:**

**(a) Chairperson's summary of activities and recommendations for the adjustment of the proposal of the Director General based on the outcome of the working group**

**(b) Consideration of and decision on the adjusted proposal by the Director General for the appointment of two Deputy Directors General and consequential amendments to the IOM Constitution**

7. The Chairperson, introducing document C/Sp/4/3, said that the working group established by Council Resolution No. 1383 to formulate recommendations on the proposal of the Director General to strengthen the senior leadership structure of the Organization had held six meetings between December 2019 and July 2020, summaries of which had been shared with Member States. As well as the Director General's proposal, the working group had discussed a compromise proposal put forward by Ecuador, as well as a proposal on tenure. After the outbreak of the COVID-19 pandemic, the working group had continued its work in writing resulting in a Chairperson's proposal put forward as a compromise solution, building on the deliberations of the working group and taking into account the need for a merit-based approach and Member State oversight and the importance of gender balance, geographical diversity and transparency. A central tenet of the that proposal was to retain the provision that a consultancy firm would be asked to undertake technical screening of candidates for the posts of Deputy Director General and provide an assessment of each candidate, all of which would be passed on to an hoc commission of Member States, with a view to the commission elaborating a shortlist of between three and five candidates for the Director General to interview. No candidates would be excluded by the consultancy firm. Feedback had indicated that the compromise proposal enjoyed broad support, and the Director General had therefore been requested to adjust his own proposal accordingly to take into account the views of the Member States.

8. The Council also had before it document C/Sp/4/4, which contained a proposal by the Director General — duly adjusted to reflect the outcome of the deliberations of the working group —

on the appointment of two Deputy Directors General and consequential amendments to the IOM Constitution and the Rules of Procedure of both the Council and the Standing Committee on Programmes and Finance.

9. The Director General said that strengthening the senior leadership structure was in the best interests of the Organization but must be undertaken in a manner acceptable to the membership as a whole. His adjusted proposal incorporated the outcomes of the deliberations of the working group, as reflected in the Chairperson's revised proposal, which had sought to strike a balance between an objective, merit-based approach to the selection process and the necessary Member State oversight, while underscoring the importance of gender balance and geographical diversity. As a compromise proposal, he hoped it could be adopted by consensus; the Administration could then begin the task of translating it into enhanced transparency, accountability, efficiency and effectiveness throughout the Organization.

10. During the ensuing discussion, broad support was expressed both for the adjusted proposal submitted by the Director General and for the process by which it had been arrived at. Sincere appreciation was expressed to all those involved, in particular the Chairperson of the Council, whose even-handed stewardship had guided the discussions to a successful conclusion, and to the delegation of Ecuador, which, by suggesting a way forward at a critical juncture, had significantly facilitated the eventual compromise reached. Member States highlighted the fact that the proposal now before the Council struck an appropriate balance between the need to ensure that candidates were appointed on merit, the importance of equitable geographical representation and gender balance among the Organization's staff, and a desire for Member States to drive the selection of Deputy Directors General while still enabling the Director General to contribute to the appointment process.

11. Several Member States observed that the already lengthy process of discussing how to strengthen the Organization's senior leadership had been further compounded by the COVID-19 pandemic and associated restrictions, diverting attention from the Organization's vital activities at a time when the vulnerable were becoming even more vulnerable and needed its support more than ever. It was to be hoped that the adjusted proposal could be adopted by consensus so that the Organization could renew its engagement in working with the rest of the United Nations system and expanding its activities for the benefit of migrants worldwide.

12. Particular appreciation was expressed to the Deputy Director General, who had agreed to remain in her post for considerably longer than planned in order to facilitate a smooth transition. Several Member States, noting that her extended term would expire at the end of 2020 but that the process of appointing two new Deputy Directors General was expected to last until May or June 2021, asked how the Administration planned to handle the intervening period. Several Member States expressed the view that the Director General should be entrusted with deciding how to proceed in that regard.

13. The Director General, responding to points raised, welcomed the consensus that had emerged on his adjusted proposal and echoed the thanks expressed to those who had been instrumental in achieving it. The level of engagement and commitment of all Member States in what had been a transparent, participatory, inclusive and results-orientated process, despite the challenging circumstances, was a reassuring signal of the importance they attached to the Organization's work and the trust and confidence they placed in the Administration as it discharged its mandate. He and his team would remain focused on delivering what Member States expected of the Organization and would implement the Council's decision in line with the principles and criteria agreed. A shared interpretation of those criteria would be essential.

14. The timeline outlined for the next steps to be taken was necessarily indicative, but every effort would be made to expedite the process. He expressed his own thanks to the Deputy Director General for agreeing to extend her term of office despite the personal cost involved. A solution to the issue of how to bridge the transition period would be considered urgently, beginning with discussions with the Council Bureau.

15. The Council had before it a draft resolution on strengthening the senior leadership structure of the Organization, contained in document C/Sp/4/L/1, which had been circulated to Member States on 14 October in accordance with the deadline stipulated in the Constitution for circulating documents ahead of a special session of the Council.

16. The Council adopted by consensus Resolution No. 1385 of 28 October 2020 on strengthening the senior leadership structure of the Organization.

#### **Closure of the session**

17. Before closing the session, the Chairperson thanked all delegations for their active participation in reaching a successful conclusion.

18. The Chairperson declared the Fourth Special Session of the Council closed on Wednesday, 28 October 2020, at 12.10 p.m.