

Doc 7350/9



The ICAO Service Code

Approved by the Council
and published by its decision

Ninth Edition — 2011

*(incorporates all amendments approved
by the Council prior to 15 March 2010
and amendments issued subsequent to
this edition up to 9 June 2014)*

International Civil Aviation Organization



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RECORD OF AMENDMENTS

No.	Date of issue	Page nos.	Entered by
1	1/2/11	ANX II-A	ICAO
2	1/4/11	ANX II-B	ICAO
3	6/5/11	ANX IV-1	ICAO
4	4/11/11	ANX I-1 to ANX I-15	ICAO
5	1/1/12	(ii); III-5; ANX II-A; ANX-III-1	ICAO
6	12/3/12	IV-3; ANX IV-2 to ANX IV-6	ICAO
7	1/4/12	ANX II-B	ICAO
8	1/1/14	(i); (ii); P-1; P-2, I-2 to I-4; III-3; III-4; IV-1; IV-2; IV-5 to IV-9; V-1; V-2; VI-2, VI-3, IX-4 to IX-6; X-1; XII-2; ANX I-3	ICAO
9	1/1/14	(ii); IV-6 to IV-10	ICAO
10	1/1/14	ANX II-A; ANX II-B	ICAO
11	10/3/14	(iv); IV-5; IV-6; ANX V-1; ANX VI-1; ANX VI-2; ANX VII-1	ICAO
12	9/6/14	IV-2 to IV-10; ANX II-B; ANX IV-4 to ANX IV-6	ICAO

THE ICAO SERVICE CODE

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THE ICAO SERVICE CODE

PREAMBLE, SCOPE AND PURPOSE

1. The ICAO Service Code consists of the Staff Regulations embodying the conditions of service and the basic rights, duties and obligations of members of the Secretariat of ICAO, as approved by the ICAO Council.
2. The Secretary General, as the Chief Executive Officer, shall enforce these Regulations and shall lay down and enforce such staff rules consistent therewith as he¹ considers necessary.
3. Except where otherwise stated, the present Staff Regulations shall apply to all staff members appointed by the Secretary General.
4. “Staff” or “staff members” shall refer to all persons whose employment and contractual relationship are defined by a letter of appointment subject to these Regulations, as may be amended from time to time by the ICAO Council.
5. Toward the realization of the concept of a truly international civil service, the Organization² shall cooperate to the fullest extent practicable with other international organizations, particularly the United Nations, and with the International Civil Service Commission, in the establishment of uniform and progressive personnel standards and practices.
6. In the administration of these Regulations and related rules established by the Secretary General, due regard shall be given to the:
 - a) fair and equal treatment of staff;
 - b) regular assessment of the performance and competency enhancement of staff; and

1. In these Regulations, the use of the male gender should be understood to include both male and female persons.

2. In these Regulations, reference to “the Organization” is to the International Civil Aviation Organization.

- c) accountability and integrity in the handling of human resources.
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STAFF REGULATIONS

Article I

DUTIES, ETHICS, OBLIGATIONS AND PRIVILEGES

Status and Responsibilities

1.1 The Secretary General and staff members at all levels of ICAO are international civil servants and their responsibilities are not national but exclusively international. By accepting appointment they become bound to discharge their functions and to regulate their official conduct with the interest of the Organization only in view. In the performance of their duties they may neither seek nor receive instructions from any Government or from any other authority external to the Organization.

1.2 All staff members are subject to the authority of the Secretary General and are accountable to him for the proper discharge of their functions.

Principles of Ethics

1.3 Staff members shall abide at all times during their service with the Organization by the principles and values of integrity, loyalty, independence, impartiality, tolerance and understanding, non-discrimination, gender equality, accountability and respect for human rights.

1.4 Staff members shall conduct themselves at all times in a manner befitting their status as international civil servants. They shall not engage in any activity that is incompatible with the proper discharge of their duties with the Organization. They shall avoid any action and in particular any kind of public pronouncement which may adversely reflect on their status. While they are not expected to give up their national sentiments or their political and religious convictions, they shall at all times bear in mind the reserve and tact incumbent upon them by reason of their international status.

1.5 The Standards of Conduct for the International Civil Service adopted by ICAO are applicable to all staff members.

1.6 The ICAO Framework on Ethics is set out in Annex I to these Staff Regulations.

Immunities and Privileges

1.7 Any immunities and privileges enjoyed by staff members by virtue of their appointment are conferred only in the interest of the Organization.

Use of Information

1.8 Staff members shall exercise the utmost discretion in regard to all matters of official business. They shall not communicate to any person any information known to them by reason of their official position which has not been made public, except in the course of their duties or by authorization of the Secretary General. They shall not at any time use such information to private advantage. These obligations do not cease upon separation from service.

Honours and Gifts

1.9 No staff member shall accept any honour, decoration or favour, gift or remuneration from any Government or from any other source external to the Organization without first obtaining the approval of the Secretary General. Approval shall be granted only in exceptional cases and where such acceptance is not incompatible with the terms of the Staff Regulations and with the individual's status as an international civil servant.

Outside Activities

1.10 Staff members shall not engage in any outside occupation or employment, whether remunerated or not, without the approval of the Secretary General.

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1.11 The Secretary General may authorize staff members to engage in an outside occupation or employment, whether remunerated or not, if:

- a) The outside occupation or employment does not conflict with the staff member's official functions or his status as an international civil servant;
- b) The outside occupation or employment is not against the interest of ICAO; and
- c) The outside occupation or employment is permitted by local law at the duty station or where the occupation or employment occurs.

Conflict of Interest

1.12 Staff members shall not be actively associated with the management of, or hold a financial interest in, any profit-making business or other concern, if it were possible for the staff member or the profit-making business or other concern to benefit from such association or financial interest by reason of his position with the Organization.

Financial Disclosure

1.13 All staff members at the D-1 level and above shall be required to file financial disclosure statements on appointment and at intervals thereafter as prescribed by the Secretary General in respect of themselves, their spouses and their dependent children. The Secretary General shall require other staff whose functions involve financial or procurement matters to file financial disclosure statements as he deems necessary in the interest of the Organization.

Notification of Lobbying

1.14 Staff Members shall notify the Secretary General through their supervisor of any case of lobbying.

Use of Property and Assets

1.15 Staff members shall use the property and assets of the Organization for official purposes and shall exercise reasonable care when utilizing such property and assets.

Ombudsman

1.16 The Secretary General shall designate an Ombudsman and an alternate. Details concerning selection and functions are outlined in the Staff Rules.

Declaration of Office

1.17 The Secretary General shall require each staff member to sign the following declaration as a condition of employment:

“I solemnly undertake to exercise in all loyalty, discretion and conscience, the functions entrusted to me as a member of the staff of the International Civil Aviation Organization; to discharge these functions to the best of my ability and to regulate my official conduct with the interest of the Organization alone in view; to abide by the rules laid down by the Organization; during the term of my service in the Organization, or following my separation from service, not to disclose any information of a confidential nature; and not to seek or accept from any Government or other authority external to ICAO any instructions in regard to the discharge of my official responsibilities.”

1.18 The Secretary General shall make his declaration orally, in similar terms, at an open meeting of the Council.

Article II

CLASSIFICATION OF POSTS AND STAFF

2.1 In conformity with principles laid down by the Assembly, the Secretary General shall make appropriate provision for the classification of posts and staff according to the nature of the duties and responsibilities required. Modifications involving D-2 level posts shall be subject to the approval of the Council, and any modifications involving D-1 level posts to the approval of the President of the Council.

2.2 The staff of the Organization, under the Secretary General, shall consist of the following categories:

- a) Professional and higher categories; and
- b) General Service category.

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Article III

SALARIES AND RELATED ALLOWANCES

General

3.1 The salary schedules at present in force covering all levels of staff are reproduced in Annex II. The salary level of each individual staff member of the Organization shall be determined by the Secretary General in accordance with the approved schedule.

3.2 Detailed conditions on salaries, allowances and grants shall be established by the Secretary General in the Staff Rules, in compliance with the conditions established by the International Civil Service Commission for the United Nations Common System.

3.3 Notwithstanding any of the provisions of these Regulations, salaries, allowances and all other conditions of service of General Service category staff at duty stations other than Headquarters shall be determined from time to time by the Secretary General as required by local circumstances, and in accordance with the methodology established by the International Civil Service Commission.

Adjustments of Salaries

3.4 The salary schedules may be amended by the Council from time to time to such extent as may be necessitated by the requirements of the Organization or prevailing conditions. Annual adjustments of the base/floor salary scale for the Professional and higher categories and interim adjustments to the salary scales of the General Service category at Headquarters shall be determined and implemented by the Secretary General in accordance with the established procedure approved by the Council. No amendment shall adversely affect the rate of salary stipulated in any letter of appointment given for a fixed period not exceeding three years.

3.5 Salaries of staff in the Professional and higher categories at various duty stations shall be subject to adjustments to be made by the Secretary General on the basis of classification of duty stations

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expressed as a percentage of net base salary as determined from time to time by the International Civil Service Commission. These adjustments shall not be assessable.

Increments

3.6 Salary increments within the levels set forth in the salary schedules shall be awarded annually or biannually on the basis of satisfactory service, taking into account the structure of the salary schedule and the established cycle for the granting of increments for each grade level.

3.7 An individual salary increment shall not be withheld or delayed except on the authority of the Secretary General. The Secretary General shall also have the authority, subject to financial provisions, in cases of special merit, to award additional increments within these levels as well as non-pensionable bonuses and other staff awards and incentives.

3.8 Staff members in the General Service category at Headquarters who have at least twenty years of service within the United Nations Common System, five of which have been at the top of their level, and whose performance has been entirely satisfactory in the last five measurement cycles, shall be awarded one additional step for long service.

Staff Assessment Plan

3.9 The salaries of all staff members shall be subject to a staff assessment plan, on a scale and subject to conditions to be determined and implemented by the Secretary General in accordance with the established procedure approved by the Council and the conditions and methodology established by the International Civil Service Commission. The scale and conditions presently in force are at Annex III.

3.10 Where a staff member is subject both to staff assessment and to national, federal, provincial, state or local income taxes in respect of the salaries and emoluments paid by the Organization, such taxes may be reimbursed in accordance with rules determined by the Secretary General.

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Allowances and Grants

Assignment Grant

3.11 The Secretary General shall establish conditions under which internationally recruited staff members who travel at the Organization's expense upon re-assignment, transfer, or initial appointment to a new duty station shall be paid an assignment grant.

Non-resident Allowance

3.12 An internationally recruited General Service staff member may be granted a non-resident allowance. The amount and duration of the allowance and relevant conditions shall be determined by the Secretary General.

Dependency Allowances

3.13 A staff member in the Professional and higher categories shall be entitled to dependency allowances. The amount and conditions of these allowances shall be determined by the Secretary General in the Staff Rules, in accordance with the conditions and methodology established by the International Civil Service Commission.

3.14 For eligible staff members in the General Service category, the allowance shall be determined by the Secretary General in accordance with the methodology established by the International Civil Service Commission.

Special Post Allowance

3.15 Staff members shall be expected to assume temporarily, as a normal part of their customary work and without extra compensation, the duties and responsibilities of vacant higher level posts. The assumption of such duties and responsibilities shall be recognized in the performance and competency assessment and enhancement report of staff members.

3.16 Without prejudice to the principle that promotion shall be the normal means of recognizing increased responsibilities and

demonstrated ability, a staff member holding a fixed-term or continuing appointment who is called upon to assume the full duties and responsibilities of a vacant post at a clearly recognizable higher level than his own for a temporary period exceeding three months may, in exceptional cases, be granted a non-pensionable special post allowance from the beginning of the fourth month of service at the higher level. When a staff member in the General Service category is assigned to serve in a vacant higher level post in the Professional category, the three-month waiting period is waived. The amount and conditions of the special post allowance shall be determined by the Secretary General in the Staff Rules.

Night Differential

3.17 A staff member in the General Service category who is assigned to regularly scheduled night-time duty shall receive a night differential at a rate and under conditions established by the Secretary General in the Staff Rules.

Education Grant

3.18 An internationally recruited staff member who holds a fixed-term appointment or continuous appointment and is serving and living outside the recognized home country shall be entitled to an education grant in respect of each dependent child in full-time attendance at a school, university or similar educational institution at a rate and under conditions established by the Secretary General in the Staff Rules, in accordance with the conditions and methodology established by the International Civil Service Commission.

3.19 The grant shall be payable in respect of the child up to the end of the fourth year of post-secondary studies.

Language Allowance

3.20 Subject to demonstration of qualifications through appropriate tests, a language allowance shall be paid to staff members in the General Service category who are proficient in more than one of the

following languages: Arabic, Chinese, English, French, Russian and Spanish. This allowance shall not be assessable.

Mobility/Hardship Allowance

3.21 A staff member temporarily transferred or, on initial appointment, temporarily assigned to a duty station for a period of not less than one year or appointed to a designated duty station, may be paid a mobility/hardship allowance in the amounts and subject to the conditions established by the International Civil Service Commission.

Danger Pay

3.22 Internationally recruited staff who are required to serve at duty stations determined as hazardous by the International Civil Service Commission, and locally recruited staff who are required to report to work and actually do so at such duty stations, may be granted compensation in the form of danger pay in the amounts and subject to the conditions established by the International Civil Service Commission.

Article IV

RECRUITMENT, APPOINTMENT, PROMOTION AND DEVELOPMENT OF STAFF

Recruitment — General

4.1 The paramount consideration in the appointment and promotion of staff shall be the necessity for securing the highest standards of efficiency, competence and integrity. Due regard shall be paid to the importance of recruiting staff on as wide a geographical basis as possible and ensuring equal gender representation. Subject to the foregoing, selection of staff members shall be made without distinction as to race, sex or religion, nor shall there be any discrimination on account of any disability of a candidate who meets the qualifications required to perform the tasks. Unless otherwise permitted under these Regulations, appointment and promotion of staff members shall be made on a competitive basis.

4.2 Recruitment in the Professional and higher categories shall be on an international basis. Subject to the conditions in Regulation 4.1, this recruitment shall be directed towards the achievement, so far as practicable, of an equitable geographical representation throughout the Secretariat. Recruitment in the General Service category shall, as a general rule, be on a local basis.

4.3 In the appointment of personnel for service away from the Headquarters of the Organization, the candidate's knowledge of the problems and languages of the region will be given due consideration.

4.4 Applications for posts in the Secretariat from Representatives or Alternates on the Council, from Representatives or Alternates to ICAO, and from Air Navigation Commissioners shall not be considered. Applications from former Representatives or Alternates on the Council, or to ICAO, and from Air Navigation Commissioners, shall be considered only for posts advertised at least six months after they have ceased to be Representatives or Alternates or Air Navigation Commissioners.

4.5 Subject to the conditions in Regulations 4.1 and 4.2, and giving due regard to the recruitment of fresh talent at all levels,

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preference should, in principle, be given to staff members of the Organization and, secondly, on a reciprocal basis, to staff members of other Organizations belonging to the United Nations system. This shall not apply to posts of D-2 Directors of Bureau.

4.6 The Secretary General shall take such action as he deems necessary or advisable for securing the cooperation of Member States in the matter of recruitment of personnel.

4.7 (Deleted)

Notification of Vacancies and Appointment Decisions

4.8 All staff of the Organization and all Member States shall be notified of vacancies in the Professional and higher categories. All vacancies in the General Service category shall be notified to the staff members of the Organization at the duty station where the post is located. The Secretary General may, by advertisement or otherwise, adopt such additional means of giving publicity to vacancies in the Secretariat as he may consider necessary or advisable. The recruitment process for all posts shall be completed within 12 months from the date of issuance of the vacancy notice to the date of the appointment decision. Should the appointment decision not be taken within this 12-month time frame, the post should be readvertised following established procedures. Starting from the date of the appointment decision, the recruitment process shall remain active for an additional period of 12 months so as to allow, when required, for the selection of another candidate to the post. The Secretary General shall also ensure that timely action is taken to notify applicants of the appointment decision. However, the foregoing shall not apply when it is in the interest of the Organization to fill a position by lateral transfer or reassignment without promotion of a staff member.

Appointment of the Secretary General

4.9 The appointment of the Secretary General shall be subject to conditions established by the Council.

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Appointment Authority

4.10 The Secretary General shall appoint the staff of the Organization. For appointments, extensions and reappointments of D-1 and D-2 staff, the Secretary General shall obtain the written approval of the President of the Council.

Advice

4.11 The Secretary General shall act with the advice and assistance of:

- a) the Panel of Directors for D-1 posts;
- b) the Appointment and Promotion Board I (APB I) for P-1 to P-5 level posts;
- c) the Appointment and Promotion Board II (APB II) for posts in the General Service category.

The Panel of Directors, APB I and APB II shall be constituted and shall function as set out in the Staff Rules.

4.12 The Council shall establish a Committee to review the selection reports of D-1 and D-2 level posts. The Committee shall be constituted and shall function as set out in Annex IV.

Review

4.13 The review of candidates for posts up to P-5 level shall take place following the procedures set out in the Staff Rules. For D-1 and D-2 level posts, the Committee established by the Council shall review the shortlisted candidates following the procedures set out in Annex IV.

Decision in the Case of D-2 Posts

4.14 Following receipt of the report of the Committee, the Secretary General shall take his decision and establish the type and duration of the contract.

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4.15 The maximum period for which a D-2 can serve is eight years. On initial appointment, a fixed-term contract of four years (first year is probationary for an external candidate) shall be granted. Following the established procedure approved by the Council, and subject to reappointment, a second fixed-term contract may be granted to the incumbent of the D-2 post. The combined duration of the initial and second fixed-term contracts shall not exceed eight years. On an exceptional basis, and subject to the approval of the President of the Council, a six-month extension beyond the eight-year maximum period may be granted to the incumbent of the D-2 post, pending completion of the recruitment process.

4.16 After having taking his decision, the Secretary General shall immediately inform in writing the Representatives of the Council of his decision.

4.17 Unless the Council expresses disapproval by a secret vote by the majority of its members, the Secretary General shall appoint the candidate.

4.18 Should there be disapproval, the Secretary General may choose another candidate from the shortlist and follow the same procedure of consultation as described for the first choice, or he may decide to readvertise the post following established procedures, and inform the Council accordingly.

Decision in the Case of D-1 Posts

4.19 Following receipt of the report of the Panel of Directors and of the Committee, the Secretary General shall take his decision and establish the type and duration of the contract.

4.20 Except as stipulated in Regulations 4.21 and 4.22 below, all D-1 posts shall be subject to the same contract conditions which apply for D-2 posts, as specified in Regulation 4.15 above.

4.21 For a D-1 staff member other than D-1 Regional Director and D-1 Chief, Evaluation and Internal Audit Office (C/EAO), on an exceptional basis, after completion of the second term, a six-month extension may be granted subject to the approval of the President of the

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Council; or an extension of up to a total of 12 months may be granted subject to the approval of the President and, notwithstanding Regulation 4.10, of the Council. Except for C/EAO, all other D-1 staff members are eligible to apply to other ICAO positions.

4.22 The post of D-1 C/EAO shall be subject to a maximum five-year fixed-term contract (first year is probationary for an external candidate).

(Note.— Former 4.22 was deleted and replaced by above.)

4.23 After having taken his decision, the Secretary General shall inform the President of the Council of his choice and request his approval.

4.24 Upon written approval by the President of the Council, which should normally take place within two weeks after receipt of the information, the Secretary General shall immediately inform in writing the Representatives of the Council of his decision.

Decision in all Other Cases

4.25 For all other cases, following receipt of the report of the relevant APB, the Secretary General shall make the appointment decision and indicate the type and duration of the contract in accordance with Regulation 4.27 and any applicable Staff Rules established by the Secretary General with regard to the granting of contracts.

4.26 In cases where the ranking of the Secretary General is different from that of the relevant Appointment and Promotion Board (APB), he shall inform the President of the Council in writing of the reasons for his choice.

Types of Appointment

4.27 Staff members may be granted one of the following types of appointment:

4.27.1 *Temporary:* For a period of less than one year, on such terms as may be determined in each case by the Secretary General. In

exceptional cases, the initial period can be extended when warranted by operational needs. The initial appointment and any subsequent extension shall be for less than a total period of twenty-four months at any given time. A temporary appointment does not carry any expectancy, legal or otherwise, of renewal. A temporary appointment shall not be converted to any other type of appointment.

4.27.2 *Fixed term:* For a fixed period for one year or more, up to five years at a time and does not carry any expectancy, legal or otherwise, of renewal or conversion, irrespective of the length of service.

4.27.3 *Continuing:* For an open-ended appointment in cases where the staff member previously held a fixed-term appointment and has served continuously in the Organization for a minimum of five years, provided he demonstrated during his service adherence to the highest standards of competence, integrity and efficiency. Detailed criteria on the granting of continuing appointments are described in Annex VII to the present Staff Regulations.

4.27.4 Details on transitional measures for staff currently holding permanent and term contracts are outlined in Annex V.

Secondment

4.28 The Organization may also avail itself of the services of persons seconded or loaned to the Organization by governments, other international agencies or educational, scientific, research or other institutions, in accordance with such conditions and for such periods as shall be agreed between the Secretary General and the government, international agency or institution.

4.29 A special contract will be issued to such seconded personnel. All seconded personnel are subject to the authority of the Secretary General and, in the exercise of their functions, are responsible to him for the duration of their work with ICAO.

4.30 Secondment arrangements shall be at no additional costs to ICAO except for mission travel and related costs as well as minimal cost-sharing arrangements, that may be negotiated for remuneration purposes, of up to 5 per cent of the yearly standard costs at the Professional level that corresponds to the Terms of Reference.

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4.30.1 Seconded personnel should not be given financial and/or policy decision-making responsibility and should not be at a level higher than P4 of the professional evaluation standard. Secondments at P5 levels should be posted on the Council website with all support documentation.

4.30.2 Secondments at a higher level than P5 will have to be submitted to the Council for consideration and approval, on the understanding that they cannot fill established posts.

4.30.3 Seconded personnel may, in the interest of their assignment, be given operational supervisory functions described in Terms of Reference based on a specific delegation of authority by the Secretary General and periodic monitoring by the supervisor.

Consultants

4.31 The Organization may also engage consultants on such terms and for such temporary or part-time service as may be determined in each case by the Secretary General.

Probationary Period

4.32 All initial appointments, unless temporary, shall include a probationary period of 12 months during which, if the services of the staff member are not satisfactory, the appointment may be terminated by one month's notice in writing, or salary in lieu thereof, and without indemnity. A probationary period may, on an exceptional basis, be extended by the Secretary General, for a maximum additional period of six months. A probationary period may be waived in the case of staff members who have completed an equivalent and continuous period of satisfactory service in the Organization, including service on secondment, loan or temporary employment, whether at the same or different level.

Medical Examination

4.33 Prior to the appointment, a prospective staff member, unless appointed on a temporary basis for less than six months, shall be required to undergo a medical examination and to meet the medical