



## STATUTES

### Preamble

The International Civil Servants' Mutual Association of the United Nations and Specialized Agencies, hereby designated the Mutual Association, which is regulated by these Statutes, is placed under the patronage of the Director-General of the United Nations Office at Geneva.

### Article 1

#### Name . Status . Objectives . Headquarters

1. The International Civil Servants' Mutual Association of the United Nations and Specialized Agencies is a non-profit exclusive fund to the United Nations and Specialized Agencies, administrated by international civil servants within the United Nations Office at Geneva. The objectives of the Mutual Association are the promotion of mutual assistance among staff members of the United Nations Office at Geneva and of other Organizations within the United Nations family, and the facilitation of the settlement of the said staff members and their families.
2. Within the framework of its statutory activities, the Mutual Association is covered by article II of the Agreement on the Privileges and Immunities of the United Nations Organization concluded between the Swiss Federal Council and the Secretary General of the United Nations Organizations of 11 June and 1 July 1946.
3. The headquarters of the Mutual Association are at the United Nations Office in Geneva.
4. The Mutual Association is operated in accordance with these Statutes, and in so far as applicable, Rules and Regulations of the United Nations Office at Geneva.
5. Liability shall rest solely with the corporate identity of the Mutual Association, liability on the part of the members being expressly excluded.

### Article 2

#### Affiliation of Organizations . Termination of Affiliation - Exclusion

1. Organizations within the United Nations family other than the United Nations Office at Geneva that wish their own staff members to benefit from the facilities offered by the Mutual Association may make a request to this effect, in writing, to the Board of Directors. In their application, they should state their acceptance of these Statutes. Such Organizations shall be called "Affiliated Organizations".
2. The acceptance of applications for affiliation shall be at the discretion of the Board of Directors. If the Board of Directors rejects such an application, the Administration of the Organization concerned may appeal against this decision to the General Assembly.
3. If the Administration of an Affiliated Organization wishes to withdraw from the Mutual Association, it must notify the Board of Directors, in writing, of its intention.



4. The Board of Directors may decide to exclude an Affiliated Organization but it must give the reasons for such an exclusion. The Organization so excluded may make an appeal against this decision to the General Assembly.

### **Article 3**

#### **Admission of members . Resignation - Exclusion**

1. Membership of the Mutual Association shall be open to staff members of the United Nations Office at Geneva, or of an Affiliated Organization, and to retired International Civil Servants living in the Franco-Swiss area.
2. Before being admitted as a member, the applicant must agree to abide by the Statutes of the Mutual Association and pay a registration fee, the amount of which is fixed by the Board of Directors.
3. The Board of Directors may, without giving any reason, reject the application of any person whose admission they believe might be prejudicial to the interests of the Mutual Association. The person concerned may appeal against such a decision to the General Assembly.
4. All members have the right to resign from the Mutual Association.
5. The Board of Directors may decide to exclude any member whose conduct is prejudicial to the interests of the Mutual Association. They must give the reason for such an exclusion and the person concerned may appeal against that decision to the General Assembly.

### **Article 4**

#### **Organs**

1. The organs of the Mutual Association are:

- The General Assembly
- The Board of Directors
- The Control body.

### **Article 5**

#### **General Assembly**

1. The functions of the General Assembly are:

- to adopt and amend the Statutes,
- to appoint the Directors who constitute the Board of Directors as follows :
  - three directors who are staff members of the United Nations Office at Geneva,
  - one director who is a staff member of an Affiliated Organization,
  - two directors from a list of persons designated by the Director-General of the United Nations Office at Geneva,
  - one director from a list established by the Staff Council of the United Nations Office at Geneva.



- ✚ to release the directors from any liability with regard to their management,
  - ✚ to dismiss the directors,
  - ✚ to appoint the Auditors,
  - ✚ to approve the Annual Report of the Board of Directors, the Balance Sheet and the Income and Expenditure Account as well as the Auditors' Report,
  - ✚ to take decisions on all matters placed within its competence by the Statutes.
2. The ordinary General Assembly shall be held at least once a year in the six months following the end of each financial year. An Extraordinary Assembly may be held at any time.
  3. The General Assembly is convened by the Board of Directors. If necessary, it may also be called by the Director-General of the United Nations Office at Geneva, by the Auditors or at the request of at least one fifth of the members of the Mutual Association.
  4. The General Assembly is convened by a circular containing the agenda, which is distributed to all members of the Mutual Association fourteen clear days before the date of the meeting.
  5. Copies of the balance sheet, the Income and expenditure account, the annual report of the Board of Directors and the auditors' report shall be annexed to the circular convening the ordinary General Assembly.
  6. If it is proposed to amend or revise the Statutes, the notice convening the Assembly must give a general indication of the proposed modifications.
  7. Each member of the Mutual Association has the right to one vote at the General Assembly.
  8. A member who cannot attend the General Assembly may vote by means of postal voting, electronic voting (if available) or may delegate his/her vote to another member.
    - a. A member choosing to vote by post or delegate his/her vote to another member must strictly comply with the instructions provided by the Mutual Association otherwise his/her vote will be denied.
    - b. If a member gives a power to another member but nevertheless attend the General Assembly the power he/she has given is automatically canceled.
    - c. A member cannot have more than two powers, in addition to his/hers
  9. Decisions at the General Assembly are taken by a simple majority of the members present.
  10. Decisions cannot be taken on points that are not on the agenda, except on a proposal to call a new Assembly.
  11. There is a quorum and the Assembly can deliberate on agenda items if 40 members are present. If there is no quorum, the Assembly shall be convened for another date by a circular distributed within two weeks. The new Assembly does not need a quorum for its deliberations.
  12. If a resolution taken by the General Assembly is contested within 10 days by one fifth of the members of the Mutual Association, the Board of Directors is compelled to call a new Assembly whose decision on the disputed matter shall be final.



## **Article 6**

### **Board of Directors**

1. The Board of Directors is composed of seven members. In addition, each Affiliated Organization shall delegate one representative to attend Board meetings in an advisory capacity.
2. The members of the Board of Directors are appointed for a period of three years and may be re-appointed.
3. Any vacancy on the Board of Directors shall be filled within thirty days by co-option. A vacancy arising in respect of a director who has been selected from a list is filled by the next person on the list ; if necessary, it may be filled by co-option by the Board of Directors on the basis of a new list established for that purpose. A director so co-opted shall remain in office for the unexpired term of his predecessor. Co-opted directors must be confirmed in office at the first General Assembly that follows their co-option.
4. Members of the Mutual Association who are staff members of the Affiliated Organizations choose their own procedure for assuring their continued representation on the Board of Directors.
5. Immediately on taking up office, the Board of Directors shall designate from among its members, a chairman, vice-chairman, treasurer, deputy-treasurer and secretary.
6. The quorum is constituted by a simple majority of the members of the Board of Directors and decisions are taken by the majority of the members present.
7. The decisions taken by the Board of Directors are recorded in the form of minutes which must be approved at the following Board meeting.
8. The Board of Directors is responsible for the general management of the affairs of the Mutual Association. It lays down policy guidelines and ensures the proper conduct of the business by the Mutual Association.
9. The Board of Directors shall designate those persons authorized to act on behalf of the Mutual Association.
10. The Board of Directors shall engage the Permanent Secretary and the staff of the Secretariat.
11. If a member of the Board of Directors fails to attend meetings regularly or fails to discharge the duties of his office, his seat may be declared vacant by the Board of Directors with one month's notice. The vacant seat shall be filled by co-option in accordance with paragraph 3 of this article.

## **Article 7**

### **Permanent Secretary**

1. The Permanent Secretary is responsible to the Board of Directors.
2. The Board of Directors delegates to the Permanent Secretary responsibility for the management of the Secretariat, the implementation of decisions taken by the Board of Directors, the application of the rules of the Mutual Association and for ensuring that the account books are kept in due form.



3. The Permanent Secretary shall provide the Board of Directors with the information and documents required for its deliberations. He attends meetings in an advisory capacity unless otherwise decided by the Board of Directors.

## **Article 8**

### **Control**

1. In agreement with the Director-General of the United Nations Office at Geneva, the Board of Directors proposes one or more names of independent auditors to the General Assembly, which appoints one or more auditors to audit the Mutual Association's accounts and to ensure the application of the rules.
2. The Auditors shall audit the Mutual Association's accounts at least twice a year. Whenever requested by Auditors, the Permanent Secretary shall place the Mutual Association's accounts at their disposal together with any original documents that they may request.
3. The Auditors draw up a written report at the end of each financial year. In this report, they shall recommend approval of the annual accounts, with or without reservations, or they shall refer them back to the Board of Directors and state whether the annual accounts conform to the provisions of the present Statutes.
4. The Auditors shall send copies of their report with their observations to the Board of Directors, the Director-General of the United Nations Office at Geneva and to the General Assembly.
5. The Auditors shall attend the General Assembly.

## **Article 9**

### **Dissolution**

1. The Mutual Association may be dissolved by a General Assembly specially called for that purpose.
2. Such a General Assembly shall be convened by a circular distributed to all members of the Mutual Association at least thirty days before the day set for the Assembly.
3. The convocation shall set out the reasons for the proposed dissolution of the Mutual Association.
4. The Board of Directors shall notify the Director-General of the United Nations Office at Geneva, in writing, of the proposal to dissolve the Mutual Association.
5. Decisions are taken by a simply majority of the members present at the General Assembly.
6. In the event of the Mutual Association being dissolved, the General Assembly shall appoint one or more liquidators.

## **Article 10**

### **Arbitration**

1. Any dispute arising between a member and the Mutual Association shall be referred to an arbitration tribunal consisting of three judges whose decisions shall be final and without appeal. If the parties do not object, a single judge may be appointed.



2. If the dispute is with a member who is a staff member of the United Nations Office at Geneva, the Director-General of the United Nations Office at Geneva shall appoint all the judges.
3. If the dispute is with a member who is a staff member of an Affiliated Organization, the Director-General of the United Nations Office at Geneva shall appoint two judges and the Director, or Secretary-General of the Affiliated Organization concerned shall appoint the other. If the parties do not object, a single judge may be appointed by the Director-General of the United Nations Office at Geneva.
4. In the event of a dispute arising between members of the Mutual Association who are staff members of different Affiliated Organizations and the Mutual Association, the Director-General of the United Nations Office at Geneva shall decide upon the composition of the arbitration tribunal in consultation with the Directors, or Secretaries-General of the Organizations concerned.

## **Article 11**

### Authentic text

1. Only the French text of these Statutes is the authentic text.

## **Article 12**

### Application

1. These Statutes come into force from the date of their adoption by the General Assembly convened for that purpose on 29 May 2015.
2. These Statutes rescind and replace those bearing the reference AMFI/2010/6.