

Report of Group Established to Review the Role and Appointment of Special Envoys

18 October 2021

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Executive Summary

In accordance with its Terms of Reference, the Group undertook a review of the role and appointment of Special Envoys. The Group concluded that Special Envoys appointed by Ireland are seen as having enhanced Ireland's profile and objectives on specific policy priorities. They also contributed to the success of Ireland's Security Council campaigns. The contribution to the success of policy initiatives, such as the UN Security Council seat, appears to provide a good return on the relatively modest outlay for Special Envoys. Ireland is not an outlier in terms of the process of appointment of Special Envoys. An examination of the process followed by comparator countries established that there is no uniform approach internationally. The current terms and conditions for the role of Special Envoy are varied and unclear.

A number of recommendations are made for future appointment of Special Envoys based on the principles of probity, appointments made on merit, and an appointment process in line with best practice, applied with consistency, and made in an open, accountable and transparent manner.

- The terms and conditions for the role of Special Envoy should be clarified going forward.
- The Management Board of the Department of Foreign Affairs should make a recommendation to the Minister on the need for a Special Envoy role based on a valid business case reflecting foreign policy objectives and priorities.
- The Management Board should consider whether the role can be filled from within the existing skills and expertise of the Department or other Departments, or whether external expertise is required, and make recommendations accordingly to the Minister.
- The Minister should seek Cabinet approval for the creation of the role of Special Envoy, regardless of which of the two categories of appointee it falls under – serving official/ Minister, or drawing from a broader pool of expertise.
- In either scenario, a detailed description of the role and Terms and Conditions should be drawn up and expressions of interest sought, with an assessment panel identifying a candidate/ shortlist of candidates to be presented to the Minister.
- Following this process, the Minister should seek Cabinet approval of the actual appointment of the Special Envoy, along with the mandate, terms and conditions.
- The group noted that the number of Special Envoys appointed has been relatively low over the last twelve years, our assumption is that this pattern will continue.

Detail

The Minister for Foreign Affairs, Mr Simon Coveney, T.D., requested his Department to undertake a review of the role and appointment of special envoys and to make specific recommendations on how appointments made in the future would take place through an independent appointment process. The Terms of Reference of the Group established to undertake the review is attached at Annex 1. In accordance with the Terms of Reference, the Group engaged with a range of stakeholders, including current Special Envoys. The Group met on a number of occasions over the course of September/October 2021 and its findings are set out below.

Irish Practice To Date

Irish Special Envoys have been appointed going back a number of decades, although the overall number of Special Envoys appointed is relatively small. Outside the UN Security Council campaigns of 2000 and 2020, the Group has identified eight Special Envoy roles in this 21 year timeframe.

For the purposes of this review, the Group focused on Special Envoys appointed since 2010. In this twelve year period, a total of 16 Special Envoys were appointed; 12 related to the UN Security Council election and 4 outside of that campaign (full list attached at Annex 2, with details of terms and conditions at Annex 3).

In general, Irish Special Envoys have been appointed for limited periods of time for one of three purposes:

- To support Ireland's campaign for a non-permanent seat on an international body e.g. the UN Security Council;
- To advance Irish priorities on a specific thematic issue;
- To advance Irish interests and values in a specific geographic region.

Special Envoys for the UN Security Council Campaign

Twelve Special Envoys were deployed to galvanise support for Ireland's 2021-2022 Security Council candidature, particularly to countries where Ireland has limited diplomatic presence. One government Minister, was appointed as Special Envoy in accordance with the political priority attached to the campaign at government level. The remaining Special Envoys were retired and serving senior officials selected, *inter alia*, for their international experience, thematic and regional knowledge, and language skills.

Thematic Envoys

A *Special Envoy on Food Systems* was appointed in March 2021 focusing on preparation for the UN Food Systems Summit in September 2021 and the Nutrition 4 Growth Summit in

December 2021, and also to contribute more broadly to the development of a food systems pillar in Irish trade and foreign policy. A *Special Envoy for Freedom of Opinion and Expression* was appointed in July 2021 and withdrew from the role shortly thereafter.

Geographic Envoys

A *Special Envoy for francophone Africa and the Sahel* was appointed in November 2020, focusing on an area with few Irish embassies. The role also has strong linkages to Ireland's membership of the UN Security Council given the engagement of the Security Council in this region. A *Special Envoy to the United States Congress* was appointed in June 2017, to represent the Government on issues relating to the undocumented Irish in the US as well as the E3 visa bill. The tenure as Special Envoy ended in February 2020.

Special Envoys appointed by Ireland are seen as having delivered in terms of enhancing Ireland's profile and objectives on specific policy priorities. They also contributed to the success of Ireland's Security Council campaigns. Special Envoys were generally appointed for periods of 1 to 3 years, and the term was generally, though not always, specified in advance. The current terms and conditions for the role of Irish Special Envoy are varied and unclear and this should be addressed going forward.

Assessment of Value for Money

On the cost side, costs vary depending on the level of travel involved, the duration and whether an ex-gratia payment is paid. The total cost over the assessment period at just under €350,000 appears modest, in the scale of Government programme or initiative spending. The average outlay per Special Envoy mission (US Congress, UN Security Council Campaign, Francophone Africa and the Sahel, and Food Systems) at circa €87,500 over 4 years also appears modest.

Special Envoys Internationally

In order to establish a valid set of comparators, the Group looked at the practice of a number of broadly like-minded countries (list of countries is set out at Annex 4). Much of the information shared by these countries was done so on the basis of confidentiality, but the following conclusions can be drawn:

Issues on which there is broad degree of common practice by comparator countries

- It is well-established practice of governments and international organisations to appoint Special Envoys to advance particular interests or to bring a more political focus to an issue of priority;
- There is fairly uniform approach to deciding on the necessity/ desirability of appointing a Special Envoy: it emerges from policy discussions between Ministers and senior officials and reflects strategic priorities at a given time;

- There are no rules around what Special Envoys can be appointed for in terms of thematic or geographic issues; it depends on individual countries' priorities;
- A consistent theme amongst like-minded countries is they appoint Special Envoys from within the ranks of their diplomatic service. A smaller group have a mix of career diplomats and external appointees depending on the specific post and the skill set required.

Issues on which there is little common practice by comparator countries

- Remuneration and terms and conditions for these roles vary significantly between countries and even within countries, depending on the specific mandate. Some are paid, some are not;
- There is a large degree of variation in lengths of mandates – some countries see them as specific, time-limited roles, others are more open ended appointments;
- The process of appointment varies significantly between countries, and even within countries. Some are headhunted / identified on the basis of specific skills and expertise that are seen as relevant to a particular role, others are appointed following a competitive process (that may or may not be advertised outside of the Foreign Ministry). Some countries seek expressions of interest. Some are not dedicated positions but part of an officer's overall responsibilities at the Foreign Ministry that includes a mandate to represent the country in a particular area.

In this context it is clear that Ireland is not an outlier in terms of the process of appointment of Special Envoys. Having looked at the processes followed by comparator countries, it is clear that there is no uniform approach internationally.

Appropriate model for the future appointment of Special Envoys

The mandate tasked the Group with making recommendations on the future appointment of Special Envoys in Ireland based on a transparent and competitive process. In considering its recommendations, the Group looked at the practice of broadly like-minded countries. The Group sought the advice of the Public Appointment Service on best practice principles in public appointments in Ireland. The Group also took account of the relatively limited number of appointments that are likely to arise based on the practice to date, priorities in the period ahead, and the merit of an appointment process appropriate to that scale.

In making the following recommendations, the Review Group emphasises that nothing in this report should be read as limiting or in any way seeking to amend the Department of Foreign Affairs existing roles and responsibilities.

Recommendations

In light of practice to date, the group noted that the number of Special Envoys appointed has been relatively low over the last twelve years, our assumption is that this pattern will continue.

The Group recommends that any future process for the appointment of Special Envoys should adhere to the Core Principles of Recruitment as set out by the CPSA:

- Probity
- Appointments made on merit
- An Appointment Process in line with best practice
- A fair appointment process applied with consistency
- Appointments made in an open, accountable and transparent manner.

Process:

Step 1. Identification of Need for a Special Envoy

The Management Board of the Department of Foreign Affairs should make a recommendation to the Minister on the need for a Special Envoy role on the basis of a valid business case reflecting foreign policy objectives and priorities.

A clear picture of the role and the skills and/or experience is required. The information below should be specified at the outset of any process:

- Which of the three types of Special Envoy does it fall under?
- What are the critical requirements for successful performance in the role? These may be categorised under the following headings:
 - Specialist knowledge required for the role
 - Experience required for the post – i.e. will the role require someone with international experience, or previous exposure to certain bodies or institutions etc.
 - Additional National/International standing required for the role – i.e. is there a requirement for someone recognised as a leader in a particular field.

It may be that on review of requirements and definition of the role, Special Envoy roles may be categorised under two headings:

- A serving official or Minister could be asked, following the process outlined below, to take on the role in addition to their existing duties, without any additional compensation other than travel and subsistence costs in accordance with Department of Public Expenditure and Reform Travel and Subsistence rules;

- The creation of a new role of Special Envoy to draw on a broader pool of expertise is deemed to be required. In these circumstances the exact terms and conditions, remuneration and contractual matters should be agreed with the Department of Public Expenditure and Reform.

The Management Board should consider whether the role can be filled from within the existing skills and expertise of the Department or other Departments, or whether external expertise is required, and make recommendations accordingly to the Minister.

The Minister should seek Government approval for the role of Special Envoy, regardless of which of the two categories of appointee it falls under – serving official/ Minister or drawing from a broader pool of expertise.

Once the need for a Special Envoy has been approved by Government, the following steps should be followed to effectively and fairly fill the post.

Step 2. Confirmation and initiation of the process

Appointment of serving official or Minister

Where the decision is made that the particular Special Envoy role does not require the creation of a new position, a detailed description of the role and Terms and Conditions will be drawn up and the Department will seek expressions of interest.

An assessment panel would recommend to the Minister for Foreign Affairs a single candidate or a shortlist of up to three candidates who were deemed suitable to take on this role, without additional remuneration, in addition to their existing responsibilities.

Drawing from a broader pool of expertise

A number of issues will help to inform and build the process when drawing from a broader pool of expertise.

- What is the employment basis of the role? e.g. will the Special Envoy be a member of staff/ contracted as a consultant / other?
- The terms and conditions/remuneration as approved by the Management Board of the Department in advance following agreement with the Department of Public Expenditure and Reform. The national and international basis for appointment Special Envoys should be clarified included in the terms and conditions.
- Roles and responsibilities of the Department and Special Envoy at the various stages of the Special Envoy mission.
- In relation to retired civil servants and appointees who are not civil servants, the Department of Foreign Affairs should develop a set of the terms and conditions that

attach to the role as Special Envoys and set out the contractual position. These should be developed into guidelines and agreed with the Department of Public Expenditure and Reform.

- These guidelines detailing the above terms and conditions for Special Envoys should include emergency medical, security and other logistical matters to be provided to support the role. These should be issued as part of a selection process.

A detailed description of the role and Terms and Conditions should be advertised. Good practice is that this information is circulated as widely as possible to allow people to access and review the requirements of the role and reflect on their potential suitability. Reference should be made to the fact that this is an Equal Opportunities post and expressions of interest are encouraged from a diverse field.

Individuals who are interested in the new position should be asked to submit an expression of interest, with a CV and cover letter describing their background, skills and experience and how they feel this prepares them for the Special Envoy role.

Once the CV's and cover letters have been received there should be an initial review of documentation and the generation of a longlist of individuals. A meeting would then take place between those on the longlist and an assessment panel appointed by the Department of Foreign Affairs, to include independent external expertise.

The panel would recommend to the Minister a single candidate or a shortlist of up to three candidates who were deemed to have met the criteria for the creation of the new post of Special Envoy.

Step 3. Appointment

The candidate/ shortlist of candidates is presented to the Minister, who will seek Cabinet approval of the appointment of the Special Envoy, along with the mandate, terms and conditions.

Additional considerations

Prior to the filling of the vacancy, there will be a requirement for reference checks/ security clearance, the level of which is dependent on the type and nature of the role.

The Department of Foreign Affairs should keep this process under review.

ANNEX 1

Terms of Reference for the Review of the Role and Appointment of Special Envoys

The Minister for Foreign Affairs, Mr Simon Coveney, T.D., requested his Department to undertake a review of the role and appointment of special envoys and to make specific recommendations on how appointments made in the future will take place through a competitive process.

The terms of reference for the review are as follows:

- The role and status of special envoys internationally;
- International practice in the appointment of special envoys, including within the European Union and by like-minded countries;
- The role, status and work of special envoys appointed by Ireland to date;
- Terms and conditions and value for money of special envoys appointed by Ireland;
- Examination of best practice in public appointments procedures in Ireland;
- Consultations with stakeholders, including with the Joint Committee on Foreign Affairs and Defence; the Audit Committee of the Department of Foreign Affairs; the EU; like-minded EU member states and third countries;
- To make recommendations on an appropriate model for the future appointment of special envoys in Ireland based on a transparent and competitive process.

Review Group:

John Conlan, Deputy Secretary General, Department of Foreign Affairs;

Sonja Hyland, Political Director, Department of Foreign Affairs;

Shirley Comerford, CEO, Public Appointments Services;

Jane Williams, Managing Partner, Sia Partners and former Chair, Top Level Appointments Committee

Timeframe: To report to Minister for Foreign Affairs by 18 October 2021

2017 – 2020: Special Envoy to the US Congress

- **Mr. John Deasy**, then T.D.

2018 – 2020: Special Envoys for the UN Security Council campaign:

- **Mr. David Cooney**, retired Secretary General of the Department of Foreign Affairs and former Ambassador to the United Kingdom and the Permanent Representation of Ireland to the UN in New York;
- **Mr. David Donoghue**, retired Permanent Representative of Ireland to the UN, New York;
- **Ms. Anne Barrington**, retired Ambassador to Japan and Tanzania (Kenya and Burundi) and former Director General of Europe Division, Department of Foreign Affairs;
- **Mr. Pat Hennessy**, retired Ambassador to the UAE, Qatar and Kuwait, Italy and Israel;
- **Mr. Justin Harman**, retired Ambassador to Argentina (Bolivia, Paraguay and Uruguay), Spain and the Russian Federation;
- **Mr. Kenneth Thompson**, retired Ambassador to Turkey (Azerbaijan, Iran and Pakistan);
- **Ms. Cáit Moran**, then Ambassador to Vietnam, Laos and Cambodia and former Director at the Development, Cooperation and Africa Division, Department of Foreign Affairs;
- **Mr. Paul Kavanagh**, Ambassador to Japan and former Ambassador to the UAE, China, France and Permanent Representative to the UN in New York;
- **Ms. Dymrna Hayes**, then Ambassador to Sweden and former Director at the Development, Cooperation and Africa Division, Department of Foreign Affairs;
- **Mr Brian Glynn**, then Director US and Canada Unit, Department of Foreign Affairs, and former Ambassador to Brazil;
- **Mr. Kevin Kelly**, then Ambassador to the Netherlands and former UN Director, Department of Foreign Affairs.
- **Ms. Katherine Zappone**, then T.D. and Minister for Children and Youth Affairs was appointed as Special Envoy for the UN Security Council campaign, in September 2019.

2020 to Date: Special Envoy for Francophone Africa and the Sahel

- **Mr. Kenneth Thompson**, retired Ambassador to Turkey (Azerbaijan, Iran and Pakistan) and former Special Envoy for the UN Security Council campaign.

2021 to Date: Special Envoy for Food Systems

- **Mr. Tom Arnold**, retired civil servant, and economist.

2021: Proposed Special Envoy for Freedom of Opinion and Expression

- **Ms. Katherine Zappone**, former T.D. and Minister for Children and Youth Affairs

ANNEX 3

Special Envoy Review

Note on Terms and Conditions of Special Envoy's appointed from 2010 – 2021

18 October 2021

1. Introduction

This paper looks back at Special Envoys appointed since 2010 (12 years). There have been 16 Special Envoys appointed during this period, two of whom are still serving.

2. Special Envoys 2012 to Date

2017 – 2020: Special Envoy to the US Congress

- **Mr. John Deasy**, then T.D., was appointed as Special Envoy to the United States Congress in June 2017 by the then Taoiseach Leo Varadkar T.D. As part of this role, Mr Deasy represented the Government on issues relating to the undocumented Irish in the US as well as the E3 visa bill to secure future pathways for Irish to travel to the US. The role was not remunerated; travel and subsistence costs were provided for by the Department of Foreign Affairs. Mr Deasy's tenure as Special Envoy ended in February 2020.

2018 – 2020: Special Envoys for the UN Security Council campaign:

- **Mr. David Cooney**, retired Secretary General of the Department of Foreign Affairs and former Ambassador to the United Kingdom and the Permanent Representation of Ireland to the UN in New York;
- **Mr. David Donoghue**, retired Permanent Representative of Ireland to the UN in New York;
- **Ms. Anne Barrington**, retired Ambassador to Japan and Tanzania (Kenya and Burundi) and former Director General of Europe Division, Department of Foreign Affairs;
- **Mr. Pat Hennessy**, retired Ambassador to the UAE, Qatar and Kuwait, Italy and Israel;
- **Mr. Justin Harman**, retired Ambassador to Argentina (Bolivia, Paraguay and Uruguay), Spain and the Russian Federation;
- **Mr. Kenneth Thompson**, retired Ambassador to Turkey (Azerbaijan, Iran and Pakistan);
- **Ms. Cáit Moran**, then Ambassador to Vietnam, Laos and Cambodia and former Director at the Development, Cooperation and Africa Division, Department of Foreign Affairs;
- **Mr. Paul Kavanagh**, Ambassador to Japan and former Ambassador to the UAE, China, France and Permanent Representative to the UN in New York;
- **Ms. Dympna Hayes**, then Ambassador to Sweden and former Director at the Development, Cooperation and Africa Division, Department of Foreign Affairs;
- **Mr Brian Glynn**, then Director US and Canada Unit, Department of Foreign Affairs, and former Ambassador to Brazil;

- **Mr. Kevin Kelly**, then Ambassador to the Netherlands and former UN Director, Department of Foreign Affairs.

The role of Special Envoy for the UN Security Council campaign was not remunerated, however the six retired appointees were offered a once-off honorarium of €10,000 at the end of their term. Five accepted the honorarium payment and one waived it. Travel and subsistence expenses were paid by the Department of Foreign Affairs.

2019 – 2020: Special Envoys for the UN Security Council campaign:

- **Ms. Katherine Zappone**, then T.D. and Minister for Children and Youth Affairs was appointed as Special Envoy for the UN Security Council campaign, in September 2019.

There was no remuneration for this role. Travel and subsistence expenses were paid by the Department of Foreign Affairs.

2020 to Date: Special Envoy for Francophone Africa and the Sahel

- **Mr. Kenneth Thompson**, retired Ambassador to Turkey (Azerbaijan, Iran and Pakistan) and former Special Envoy for the UN Security Council campaign, was appointed Special Envoy for francophone Africa and the Sahel in November 2020. The Special Envoy represents Ireland in a region where Ireland does not have an established Embassy network, and assists in the development of well-informed and robust policy positions on relevant UN Security Council agenda items.

Remuneration for this role consists of an honorarium of €25,000 per annum. In addition travel and subsistence expenses and the cost of foreign health insurance is paid by the Department of Foreign Affairs. The appointment expires in December 2022. To date €160 was paid by DFA in relation to non-pay (stationery) costs.

2021 to Date: Special Envoy for Food Systems

- **Mr. Tom Arnold**, retired civil servant, and economist was appointed Special Envoy for Food Systems on 9 March 2021. The role was jointly proposed by the Department of Agriculture, Food and the Marine and the Department of Foreign Affairs in preparation for the UN Food Systems Summit in September 2021 and the Nutrition 4 Growth Summit in December 2021. Mr. Arnold's work also contributes more broadly to the development of a food systems pillar in Irish trade and foreign policy.

Remuneration for this role consists of an honorarium of €5,000 per annum to cover expenses related to the role. The appointment expires in December 2022. To date €1,045 been paid by DFA in relation to meetings and conferences.

2021: Proposed Special Envoy for Freedom of Opinion and Expression

- **Ms. Katherine Zappone**, former T.D. and Minister for Children and Youth Affairs was appointed by Government as Special Envoy for Freedom of Opinion and Expression on 27 July 2021. Ms Zappone withdrew from the role shortly thereafter.
- This was to be a two year position. It was anticipated to require 50 days per annum and the related remuneration for this role would consist of an honorarium based on a per diem rate using the third point (midpoint excluding long service increments) of the Principle Officer scale, which would amount to circa €12,000 per annum. In addition travel and subsistence expenses would have been paid by the Department of Foreign Affairs.

3. Expenditure on Special Envoy Missions 2010 -2022

The group reviewed the full schedule of costs in relation to the four Special Envoy Missions (US Congress, UN Security Council Campaign, Francophone Africa and the Sahel, and Food Systems) over the last 12 years. This amounted to €348,713.

4. Terms and Conditions of past and current Special Envoys

In relation to serving civil servants the terms and conditions of appointment as Special Envoys are not different to their current terms and conditions.

In relation to retired civil servants and appointees who are not civil servants it is not clear as to what terms and conditions attach to their role as Special Envoys. Pension Abatement rules are applied (information on pension abatement is included in Appendix 1).

Appendix 1:

An Roinn Gnóthaí Eachtracha
Department of Foreign Affairs



Pension Abatement FAQ's

Question 1. What is Pension Abatement?

Answer 1. Pension Abatement sets an upper earnings limit, or 'cap'; for public service pensioners who are re-employed in the public sector, which if exceeded will affect their pension.

Question 2. If I am receiving a pension in respect of previous employment in another part of the public sector, does pension abatement apply if I take up a post in the Department?

Answer 2. Yes pension abatement rules apply to all public service pensions, not just Department pensions.

Question 3. Does pension abatement affect the rate of pay that I am entitled to earn when I take up a post in the Department?

Answer 3. No, the pension abatement rules only apply to the level of public sector pension that you are entitled to be paid while re-employed, not to the earnings in that re-employment.

Question 4. Does pension abatement apply if I am re-employed via an Agency, albeit I am working for the Department?

Answer 4. No, the pension abatement rules only apply if you are directly employed by a public sector employer.

Question 5. What is the Pension Abatement limit or 'cap', and what happens if it is exceeded?

Answer 5. The pension abatement provisions provide that a retired public servant should receive no more in pension than, when combined with their pay on re-employment, is more than they would have earned had they continued in employment in the post from which they

retired. In practical terms, this means that your upper limit or 'cap' is the current value of the salary of the post from which you retired, based on your work pattern at retirement.

Example:

Joe Bloggs retires in 2018 after 40 years public service with a pension of €50,000 – his pension is based on his salary of €100,000 on his last day of service (i.e $100,000 \times 50\% = €50,000$)

Joe is then rehired in the public service in 2019, the salary for his new role is €60,000 pa.

Because his new salary when added to his pension, exceeds his old salary as follows;

$60,000 \text{ plus } 50,000 = 110,000$ – therefore he has exceeded his old salary by €10,000 and his pension will be abated by that amount. So for the duration of his new role his pension is abated to €40,000

Question 6. If my Pension is abated, what happens when I cease my employment in the Department of Foreign Affairs?

Answer 6. Your Pension will be reinstated at the full rate from the date of termination of your employment in the Department of Foreign Affairs post, unless of course you leave to take up another employment elsewhere in the public sector.

Question 7. Is there a maximum number of hours I can work without being subject to Pension Abatement?

Answer 7. As a general rule, based on the operation of pension abatement in the Department, you can work at least half-time (50% work pattern) without it impacting on your pension. This is because the maximum pension that you can be in receipt of is 50% of your salary at retirement and that is only where you had the maximum 40 years' service at retirement and paid Class D (modified) PRSI. Provided you are being reemployed at an equivalent, or lower, salary therefore, you can be re-employed on at least a 50% basis without your public service pension being affected.

Question 8. Could I work more than 50% and still not be subject to pension abatement?

Answer 8. Yes, this is possible for a number of reasons.

- Your pension may not be 50% of your retirement salary because you did not have 40 years' service at retirement where you paid Class D (modified) PRSI.
- Your salary on re-employment may be at the minimum point of the pay scale, whereas your retirement benefits may have been based on the maximum point of the same pay scale.

- You may be being rehired at a grade which has a lower pay scale than the pay scale on which your pension was calculated.

In all of the above cases you would be able to work more than a 50% work pattern without being subject to pension abatement. The precise percentage work pattern would vary for each individual.

ANNEX 4

List of like-minded EU member states and third countries

Canada

Denmark

Estonia

Germany

Lithuania

Netherlands

Norway

Spain

Sweden

Cabinet of EU HR/VP Josep Borrell Fontelles