

MC/INF/306

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25 November 2011**

HUNDREDTH SESSION

**ACCEPTANCE OF THE
AMENDMENTS TO THE CONSTITUTION**

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1. At its Seventy-sixth Session, the Council adopted amendments to the Constitution (Council Resolution No. 997 of 24 November 1998). According to Article 30, paragraph 2, of the Constitution, the entry into force of the amendments is subject to acceptance, in accordance with their respective constitutional processes, by two thirds of the Member States.
2. These amendments aim at strengthening the structure and streamlining the decision-making process of IOM. They represent an important development for the future of the Organization. The Council, in the above-mentioned resolution and again in Council Resolution No. 1013 of 1 December 1999, called upon Member States to accept these amendments as early as possible and to inform the Director General accordingly. Similar calls have been made over time by various Chairpersons of the Council and the Director General of IOM, most recently through a letter dated 23 February 2011 (see Annex I) sent to States that had not yet accepted the amendments. The IOM Legal Counsel is also conducting a round of meetings with Ambassadors and other senior staff of these States to further encourage the acceptance of the amendments.
3. To date, only 70 States have notified the Director General of their acceptance of the amendments (see Annex II), out of a total membership of 132 States.
4. Member States that have not yet accepted the amendments (see Annex III) are once again invited to do so as soon as possible as a matter of priority and to notify the Director General accordingly.

Annex I

23 February 2011

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I have the honour to refer to the 76th Session of the Council, held in November 1998, which adopted amendments to the Constitution of the International Organization for Migration (IOM). These amendments aim at strengthening the structure and streamlining the decision-making process of IOM: they represent as such an important development for the future of our Organization. They are annexed to Resolution No. 997 (LXXVI), a copy of which is enclosed for ease of reference.

According to Article 30, paragraph 2, of IOM's Constitution, the entry into force of these amendments is subject to their acceptance by two-thirds of the members in accordance with their respective constitutional processes.

To date, only 67 States have ratified these amendments, out of a total membership of 132 (see list enclosed). On behalf and at the request of the Chairman of the IOM Council, His Excellency Ambassador Idriss Jazairy, I ask your Government to take urgent and decisive steps towards accepting these amendments which, once in force, will allow the Organization better to fulfil its responsibilities.

I am confident of being able to count on the support of your Government in this undertaking and shall appreciate your reporting to me any progress made on this matter.

Please accept, Excellency, the assurance of my highest consideration.

William Lacy Swing

Annex II

**MEMBER STATES HAVING ACCEPTED THE AMENDMENTS
TO THE CONSTITUTION**

| <u>Member States</u> | <u>Notification of acceptance received on:</u> |
|---------------------------------|--|
| 1. Slovakia | 8 February 1999 |
| 2. Denmark | 16 April 1999 |
| 3. Finland | 23 April 1999 |
| 4. Republic of Korea | 26 May 1999 |
| 5. Czech Republic | 2 June 1999 |
| 6. Bulgaria | 20 July 1999 |
| 7. Tunisia | 17 January 2000 |
| 8. Thailand | 26 January 2000 |
| 9. Greece | 10 March 2000 |
| 10. Croatia | 3 May 2000 |
| 11. Hungary | 19 May 2000 |
| 12. Japan | 23 May 2000 |
| 13. Algeria | 8 August 2000 |
| 14. Norway | 28 August 2000 |
| 15. United Republic of Tanzania | 26 October 2000 |
| 16. Romania | 4 April 2001 |
| 17. Latvia | 8 October 2001 |
| 18. Sierra Leone | 12 October 2001 |
| 19. Lithuania | 19 March 2002 |
| 20. France | 20 March 2002 |
| 21. Azerbaijan | 18 June 2002 |
| 22. Mali | 13 September 2002 |
| 23. Mauritania | 13 June 2003 |
| 24. New Zealand | 13 June 2003 |
| 25. United States of America | 1 July 2003 |
| 26. Malta | 3 May 2004 |
| 27. Afghanistan | 4 June 2004 |
| 28. Libya | 4 June 2004 |
| 29. Bahamas | 30 November 2004 |
| 30. Estonia | 30 November 2004 |
| 31. Brazil | 30 November 2004 |
| 32. Turkey | 30 November 2004 |
| 33. Netherlands | 16 December 2004 |
| 34. Jamaica | 9 June 2005 |
| 35. Bosnia and Herzegovina | 9 June 2005 |
| 36. Morocco | 10 June 2005 |
| 37. Cameroon | 29 November 2005 |

| <u>Member States</u> | <u>Notification of acceptance received on:</u> |
|--------------------------------------|--|
| 38. Ghana | 29 November 2005 |
| 39. Belarus | 29 November 2005 |
| 40. Togo | 29 November 2005 |
| 41. Slovenia | 1 February 2006 |
| 42. Mauritius | 8 June 2006 |
| 43. Spain | 8 June 2006 |
| 44. Montenegro | 28 November 2006 |
| 45. Nepal | 28 November 2006 |
| 46. Australia | 2 February 2007 |
| 47. Sweden | 20 March 2007 |
| 48. Belgium | 15 June 2007 |
| 49. Burundi | 27 November 2007 |
| 50. Viet Nam | 27 November 2007 |
| 51. Senegal | 15 January 2008 |
| 52. Ukraine | 7 February 2008 |
| 53. Mexico | 23 April 2008 |
| 54. Mongolia | 18 June 2008 |
| 55. Somalia | 18 June 2008 |
| 56. Cambodia | 22 April 2009 |
| 57. Trinidad and Tobago | 29 June 2009 |
| 58. Namibia | 29 June 2009 |
| 59. Ecuador | 24 July 2009 |
| 60. Madagascar | 18 June 2010 |
| 61. Republic of Moldova | 17 September 2010 |
| 62. Colombia | 4 November 2010 |
| 63. Lesotho | 29 November 2010 |
| 64. Central African Republic | 29 November 2010 |
| 65. Timor-Leste | 29 November 2010 |
| 66. Botswana | 29 November 2010 |
| 67. Swaziland | 29 November 2010 |
| 68. Albania | 23 May 2011 |
| 69. Bolivia (Plurinational State of) | 28 July 2011 |
| 70. Georgia | 12 August 2011 |

Annex III

**MEMBER STATES YET TO ACCEPT THE AMENDMENTS
TO THE CONSTITUTION**

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|--------------------------------------|---|
| 1. Angola | 35. Kenya |
| 2. Argentina | 36. Kyrgyzstan |
| 3. Armenia | 37. Liberia |
| 4. Austria | 38. Luxembourg |
| 5. Bangladesh | 39. Nicaragua |
| 6. Belize | 40. Niger |
| 7. Benin | 41. Nigeria |
| 8. Burkina Faso | 42. Pakistan |
| 9. Canada | 43. Panama |
| 10. Cape Verde | 44. Paraguay |
| 11. Chile | 45. Peru |
| 12. Congo | 46. Philippines |
| 13. Costa Rica | 47. Poland |
| 14. Côte d'Ivoire | 48. Portugal |
| 15. Cyprus | 49. Rwanda |
| 16. Democratic Republic of the Congo | 50. Serbia |
| 17. Dominican Republic | 51. South Africa |
| 18. Egypt | 52. Sri Lanka |
| 19. El Salvador | 53. Sudan |
| 20. Gabon | 54. Switzerland |
| 21. Gambia | 55. Tajikistan |
| 22. Germany | 56. Uganda |
| 23. Guatemala | 57. United Kingdom of Great Britain and Northern Ireland |
| 24. Guinea | 58. Uruguay |
| 25. Guinea-Bissau | 59. Venezuela (Bolivarian Republic of) |
| 26. Haiti | 60. Yemen |
| 27. Honduras | 61. Zambia |
| 28. India | 62. Zimbabwe |
| 29. Iran (Islamic Republic of) | |
| 30. Ireland | |
| 31. Israel | |
| 32. Italy | |
| 33. Jordan | |
| 34. Kazakhstan | |