

MC/2095

11 December 2002

EIGHTY-FOURTH SESSION

**RESOLUTIONS
ADOPTED BY THE COUNCIL
AT ITS EIGHTY-FOURTH SESSION**

(Geneva, December 2002)

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RESOLUTION No. 1066 (LXXXIV)

(Adopted by the Council at its 441st meeting on 2 December 2002)

**ADMISSION OF THE FEDERAL REPUBLIC OF NIGERIA
AS A MEMBER OF THE ORGANIZATION**

The Council,

Having received the request of the Federal Republic of Nigeria for admission as a Member of the Organization (MC/2084),

Having been informed that the Federal Republic of Nigeria accepts the Constitution of the Organization in accordance with its internal constitutional processes and has undertaken to make a financial contribution to the administrative requirements of the Organization,

Considering that the Federal Republic of Nigeria has demonstrated its interest in the principle of the free movement of persons as stated in Article 2 (b) of the Constitution,

Convinced that the Federal Republic of Nigeria could give valuable assistance towards furthering the purposes of the Organization,

Resolves:

1. That the Federal Republic of Nigeria be admitted as a Member of the International Organization for Migration, in accordance with the provisions of Article 2 (b) of the Constitution, as from the date of the present resolution;

2. That its contribution to the Administrative part of the Budget be determined at 0.063 per cent thereof.

RESOLUTION No. 1067 (LXXXIV)

(Adopted by the Council at its 441st meeting on 2 December 2002)

**ADMISSION OF THE KINGDOM OF CAMBODIA
AS A MEMBER OF THE ORGANIZATION**

The Council,

Having received the request of the Kingdom of Cambodia for admission as a Member of the Organization (MC/2087),

Having been informed that the Kingdom of Cambodia accepts the Constitution of the Organization in accordance with its internal constitutional processes and has undertaken to make a financial contribution to the administrative requirements of the Organization,

Considering that the Kingdom of Cambodia has demonstrated its interest in the principle of the free movement of persons as stated in Article 2 (b) of the Constitution,

Convinced that the Kingdom of Cambodia could give valuable assistance towards furthering the purposes of the Organization,

Resolves:

1. That the Kingdom of Cambodia be admitted as a Member of the International Organization for Migration, in accordance with the provisions of Article 2 (b) of the Constitution, as from the date of the present resolution;

2. That its contribution to the Administrative part of the Budget be determined at 0.040 per cent thereof.

RESOLUTION No. 1068 (LXXXIV)

(Adopted by the Council at its 441st meeting on 2 December 2002)

**ADMISSION OF THE REPUBLIC OF ZIMBABWE
AS A MEMBER OF THE ORGANIZATION**

The Council,

Having received the request of the Republic of Zimbabwe for admission as a Member of the Organization (MC/2089),

Having been informed that the Republic of Zimbabwe accepts the Constitution of the Organization in accordance with its internal constitutional processes and has undertaken to make a financial contribution to the administrative requirements of the Organization,

Considering that the Republic of Zimbabwe has demonstrated its interest in the principle of the free movement of persons as stated in Article 2 (b) of the Constitution,

Convinced that the Republic of Zimbabwe could give valuable assistance towards furthering the purposes of the Organization,

Resolves:

1. That the Republic of Zimbabwe be admitted as a Member of the International Organization for Migration, in accordance with the provisions of Article 2 (b) of the Constitution, as from the date of the present resolution;
2. That its contribution to the Administrative part of the Budget be determined at 0.040 per cent thereof.

RESOLUTION No. 1069 (LXXXIV)

(Adopted by the Council at its 441st meeting on 2 December 2002)

**ADMISSION OF THE REPUBLIC OF KAZAKHSTAN
AS A MEMBER OF THE ORGANIZATION**

The Council,

Having received the request of the Republic of Kazakhstan for admission as a Member of the Organization (MC/2090),

Having been informed that the Republic of Kazakhstan accepts the Constitution of the Organization in accordance with its internal constitutional processes and has undertaken to make a financial contribution to the administrative requirements of the Organization,

Considering that the Republic of Kazakhstan has demonstrated its interest in the principle of the free movement of persons as stated in Article 2 (b) of the Constitution,

Convinced that the Republic of Kazakhstan could give valuable assistance towards furthering the purposes of the Organization,

Resolves:

1. That the Republic of Kazakhstan be admitted as a Member of the International Organization for Migration, in accordance with the provisions of Article 2 (b) of the Constitution, as from the date of the present resolution;
2. That its contribution to the Administrative part of the Budget be determined at 0.040 per cent thereof.

RESOLUTION No. 1070 (LXXXIV)

(Adopted by the Council at its 441st meeting on 2 December 2002)

**ADMISSION OF THE RWANDESE REPUBLIC
AS A MEMBER OF THE ORGANIZATION**

The Council,

Having received the request of the Rwandese Republic for admission as a Member of the Organization (MC/2092),

Having been informed that the Rwandese Republic accepts the Constitution of the Organization in accordance with its internal constitutional processes and has undertaken to make a financial contribution to the administrative requirements of the Organization,

Considering that the Rwandese Republic has demonstrated its interest in the principle of the free movement of persons as stated in Article 2 (b) of the Constitution,

Convinced that the Rwandese Republic could give valuable assistance towards furthering the purposes of the Organization,

Resolves:

1. That the Rwandese Republic be admitted as a Member of the International Organization for Migration, in accordance with the provisions of Article 2 (b) of the Constitution, as from the date of the present resolution;

2. That its contribution to the Administrative part of the Budget be determined at 0.040 per cent thereof.

RESOLUTION No. 1071 (LXXXIV)

(Adopted by the Council at its 441st meeting on 2 December 2002)

**REPRESENTATION OF THE REPUBLIC OF BURUNDI
AT MEETINGS OF THE COUNCIL**

The Council,

Bearing in mind the provisions of Article 8 of the Constitution,

Recalling its decision in Resolution No. 753 (LVIII) of 29 November 1988 concerning the attendance of observers at meetings of the Council,

Resolves:

1. To invite the Republic of Burundi to designate observers to its meetings;
2. To amend Resolution No. 753 (LVIII) by adding the Republic of Burundi to the list of non-member States contained in paragraph 1 of the said resolution.

RESOLUTION No. 1072 (LXXXIV)

(Adopted by the Council at its 441st meeting on 2 December 2002)

**REPRESENTATION OF HUMAN RIGHTS WATCH
AT MEETINGS OF THE COUNCIL**

The Council,

Bearing in mind the provisions of Article 8 of the Constitution,

Recalling its decision in Resolution No. 753 (LVIII) of 29 November 1988 concerning the attendance of observers at meetings of the Council,

Resolves:

1. To invite Human Rights Watch to designate observers to its meetings;
2. To amend Resolution No. 753 (LVIII) by adding Human Rights Watch to the list of non-governmental organizations contained in paragraph 2 (c) of the said resolution.

RESOLUTION No. 1073 (LXXXIV)

(Adopted by the Council at its 441st meeting on 2 December 2002)

**REPRESENTATION OF AMNESTY INTERNATIONAL
AT MEETINGS OF THE COUNCIL**

The Council,

Bearing in mind the provisions of Article 8 of the Constitution,

Recalling its decision in Resolution No. 753 (LVIII) of 29 November 1988 concerning the attendance of observers at meetings of the Council,

Resolves:

1. To invite Amnesty International to designate observers to its meetings;
2. To amend Resolution No. 753 (LVIII) by adding Amnesty International to the list of non-governmental organizations contained in paragraph 2 (c) of the said resolution.

RESOLUTION No. 1074 (LXXXIV)

(Adopted by the Council at its 446th meeting on 4 December 2002)

**REPORTS ON THE EIGHTY-SECOND SESSION AND
THE EIGHTY-THIRD (SPECIAL) SESSION OF THE COUNCIL**

The Council,

Having received and reviewed the draft reports on the Eighty-second Session (MC/2059) and the Eighty-third (Special) Session (MC/2067) of the Council,

Resolves to approve the reports.

RESOLUTION No. 1075 (LXXXIV)

(Adopted by the Council at its 446th meeting on 4 December 2002)

**REPORT ON THE NINETY-NINTH SESSION
OF THE EXECUTIVE COMMITTEE**

The Council,

Recalling that pursuant to Resolution No. 1060 (LXXXII) of 29 November 2001 the Executive Committee was authorized to take, at its session in June 2002, such action as might be deemed necessary as provided for in Article 12 (c) and (e) of the Constitution,

Having received and reviewed the report on the Ninety-ninth Session of the Executive Committee (MC/2081),

Resolves:

1. To take note, with appreciation, of the report of the Executive Committee (MC/2081);
2. To take note of the Report of the Director General on the work of the Organization for the year 2001 (MC/2080);
3. To approve the Financial Report for the year ended 31 December 2001 (MC/2079).

RESOLUTION No. 1076 (LXXXIV)

(Adopted by the Council at its 446th meeting on 4 December 2002)

PROGRAMME AND BUDGET FOR 2003

The Council,

Having received and examined the Programme and Budget for 2003 (MC/2083; MC/2083/Amdt.1),

Having taken into account the comments and recommendations of the Subcommittee on Budget and Finance (MC/2088),

Resolves:

1. To approve the Programme for 2003;
2. To adopt the Budget for 2003, in the amounts of 36,673,000 Swiss francs for the Administrative part and 503,193,820 United States dollars for Part II - Operations, of the Programme and Budget;
3. To increase the rate at which the project-related overhead charge is levied from 9.5 per cent to 12 per cent beginning with all projects and special programmes entered into after adoption of this resolution, and allow a reasonable transition period for applying the new overhead to extended or renewed ongoing projects and special programmes. The funds realized from this increase are intended to meet the financial requirements of participation in the UNSECOORD mechanism for staff security;

4. To request the Director General to establish a mechanism to transparently monitor the income resulting from the 2.5 per cent increase to the project-related overhead charge and the payments made to UNSECOORD, and to report to the autumn 2003 meeting of the SCBF on the functioning of this mechanism to Member States, in view of reviewing its effectiveness;

5. To take note of the amount of 238,012,335 United States dollars of funding requirements contained in document MC/INF/250 "Migration Initiatives 2003";

6. Notwithstanding the provisions of operative paragraph 2, to authorize the Director General, within the limits of available income, to incur obligations and make expenditures arising from any increase in activities in the Operational Part of the Budget;

7. To request the Director General to report to the Executive Committee at its next session in 2003 any necessary revision of the estimates contained in the Budget for 2003, taking into account any additional measures that may be necessary in order to achieve a balanced budget by the end of 2003;

8. To authorize the Executive Committee, at its spring session in 2003, to adopt a scale of assessment for the year 2004, on the basis of the principles, guidelines and criteria applied to the scale of assessment to the Administrative part of the Budget for 2003;

9. To reaffirm the principle of universal participation in the financing of the operational programmes and to appeal to Member States and other interested States to increase their overall contributions and provide the funds required to enable the Director General to carry out in full all the operational programmes for 2003.

RESOLUTION No. 1077 (LXXXIV)

(Adopted by the Council at its 446th meeting on 4 December 2002)

**SYSTEMIC SOLUTION FOR THE USE OF SURPLUS
IN THE ADMINISTRATIVE PART OF THE BUDGET**

The Council,

Having received and examined document MC/2085 submitted by the Director General on Use of Surplus in the Administrative Part of the Budget,

Having taken into account the comments and recommendations of the Subcommittee on Budget and Finance (MC/2088),

Bearing in mind the provisions of Articles 24 and 25 of the Constitution as well as Article 4 of the Financial Regulations,

Acknowledging that in principle any surplus should be returned,

Recalling the need to ensure an efficient and economical management of the resources of the Organization,

Mindful of the advisability to adopt a systemic solution to the use of surplus in the Administrative Part of the Budget,

Recognizing the importance of testing and verifying a systemic solution before making it permanent,

Recalling further that, once the provisions of Article 4.3 and 4.4 of the Financial Regulations have been complied with, a surplus exists after having been applied towards the provision for doubtful receivables and having covered any underfunding in the Administrative Part of the Budget brought forward from previous years,

Recalling further the benefits derived by Member States, individually and collectively, as a result of the activities carried out under the Facility established by Resolution No. 1035 (LXXX) adopted by the Council on 29 November 2000,

Recognizing that all contributions to the Facility established by Resolution No. 1035 (LXXX) are voluntary, and that such contributions should be enhanced,

I. *Resolves* that any surplus in the Administrative Part of the Budget shall be disposed of as follows:

1. When the surplus for any budget year is above one per cent of the approved Administrative Part of the Budget for that year, the amount above one per cent shall be returned to Member States through a proportional reduction of the assessed contributions paid by Member States, to be credited in the second year following that in which the surplus occurred, while the amount equal to 1 per cent shall be disposed of as per 2 below;

2. Where the surplus for any budget year is equal to or less than one per cent of the approved Administrative Part of the Budget for that year, it should be assigned as a supplement to the Administrative Part of the Budget for the second year following that in which the surplus occurred, such surplus being used to cover only non-recurrent expenditure items which would normally be charged to the Administrative Part of the Budget, and be included, as an identifiable item, in the annual budget proposals submitted to the Council;

3. Where a State was a Member State during the budget year in which a surplus was determined to have occurred, but has ceased to be a Member State for the year in which it would have received a proportional reduction of its assessed contribution in accordance with 1 above, it shall receive a reimbursement of an amount equal to the proportional reduction of its assessed contribution, provided that at the time it ceased to be a Member State it had no outstanding assessed contributions;

II. *Resolves further* that the Subcommittee on Budget and Finance shall review the functioning of actions laid out in point I.1 and 2 above after either or both have been applied to three surpluses and shall recommend to the session of the Council which follows the third occurring surplus whatever improvements, including amendments to the Financial Regulations, may be needed;

III. *Recommends* that any Member State that benefits from a reduction in its assessed contribution resulting from the application of point I.1 above, strongly consider making a voluntary contribution to the Facility established by Resolution No. 1035 (LXXX) of 29 November 2000, in an equivalent amount, it being understood that any such voluntary contribution shall constitute an increase in funds already approved for the Facility in the year in which this applies.

RESOLUTION No. 1078 (LXXXIV)

(Adopted by the Council at its 446th meeting on 4 December 2002)

CONVENING OF THE NEXT REGULAR SESSION OF THE COUNCIL

The Council,

Bearing in mind Articles 6, 9 and 12 of the Constitution,

Resolves to hold its next regular session in December 2003 in Geneva, at the call of the Director General;

Invites the Executive Committee to meet during the month of June 2003;

Resolves also to authorize the Executive Committee to take such action as may be deemed necessary as provided for in Article 12 (c) and (e) of the Constitution, in particular in connection with a revision of the Budget for 2003, the scale of assessment for 2004, as well as related matters.

RESOLUTION No. 1079 (LXXXIV)

(Adopted by the Council at its 446th meeting on 4 December 2002)

CONVENING OF A SPECIAL SESSION OF THE COUNCIL

The Council,

Taking into consideration the provisions of Article 18 of the Constitution,

Considering that, in accordance with Resolution No. 982 (LXXV) of 28 May 1998, the term of office of the present Director General began on 1 October 1998 for a period of five years,

Resolves to convene a special session of the Council in June 2003, in order to proceed with the election of a Director General.