



MC/2396

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IOM International Organization for Migration  
OIM Organisation Internationale pour les Migrations  
OIM Organización Internacional para las Migraciones

6 December 2013

**COUNCIL**

**CONSEIL**

**CONSEJO**

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**103RD SESSION**

**RESOLUTIONS**

**ADOPTED BY THE COUNCIL**

**AT ITS 103RD SESSION**

**(Geneva, November 2013)**



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RESOLUTION No. 1251 (CIII)

(Adopted by the Council at its 530th meeting on 26 November 2013)

**ADMISSION OF TURKMENISTAN  
AS A MEMBER OF THE ORGANIZATION**

*The Council,*

*Having received* the request of Turkmenistan for admission as a Member of the Organization (MC/2383),

*Having been informed* that Turkmenistan accepts the Constitution of the Organization, and the amendments thereto of 24 November 1998, in accordance with its internal constitutional processes and has undertaken to make a financial contribution to the administrative requirements of the Organization,

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

*Convinced* that Turkmenistan could give valuable assistance towards furthering the purposes of the Organization,

*Resolves:*

1. That Turkmenistan 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 0.0282 per cent thereof.

RESOLUTION No. 1252 (CIII)

(Adopted by the Council at its 530th meeting on 26 November 2013)

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

*The Council,*

*Having received* the request of the Republic of Iceland for admission as a Member of the Organization (MC/2384),

*Having been informed* that the Republic of Iceland accepts the Constitution of the Organization, and the amendments thereto of 24 November 1998, 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 Iceland 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 Iceland could give valuable assistance towards furthering the purposes of the Organization,

*Resolves:*

1. That the Republic of Iceland 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 0.0455 per cent thereof.

RESOLUTION No. 1253 (CIII)

(Adopted by the Council at its 530th meeting on 26 November 2013)

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

*The Council,*

*Having received* the request of the Republic of Fiji for admission as a Member of the Organization (MC/2388),

*Having been informed* that the Republic of Fiji accepts the Constitution of the Organization, and the amendments thereto of 24 November 1998, 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 Fiji 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 Fiji could give valuable assistance towards furthering the purposes of the Organization,

*Resolves:*

1. That the Republic of Fiji 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 0.0034 per cent thereof.

RESOLUTION No. 1254 (CIII)

(Adopted by the Council at its 530th meeting on 26 November 2013)

**ADMISSION OF THE REPUBLIC OF THE MARSHALL ISLANDS  
AS A MEMBER OF THE ORGANIZATION**

*The Council,*

*Having received* the request of the Republic of the Marshall Islands for admission as a Member of the Organization (MC/2393),

*Having been informed* that the Republic of the Marshall Islands accepts the Constitution of the Organization, and the amendments thereto of 24 November 1998, 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 the Marshall Islands 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 the Marshall Islands could give valuable assistance towards furthering the purposes of the Organization,

*Resolves:*

1. That the Republic of the Marshall Islands 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 0.0011 per cent thereof.



RESOLUTION No. 1255 (CIII)

(Adopted by the Council at its 530th meeting on 26 November 2013)

**REPRESENTATION OF THE INTERNATIONAL MEDICAL CORPS  
AT MEETINGS OF THE COUNCIL**

*The Council,*

*Having received* the request of the International Medical Corps for representation by an observer (MC/2381),

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

Resolves to invite the International Medical Corps to designate observers to its meetings.

RESOLUTION No. 1256 (CIII)

(Adopted by the Council at its 530th meeting on 26 November 2013)

**REPRESENTATION OF THE ECONOMIC COMMUNITY OF  
WEST AFRICAN STATES COMMISSION  
AT MEETINGS OF THE COUNCIL**

*The Council,*

*Having received* the request of the Economic Community of West African States Commission for representation by an observer (MC/2382),

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

Resolves to invite the Economic Community of West African States Commission to designate observers to its meetings.

RESOLUTION No. 1257 (CIII)

(Adopted by the Council at its 530th meeting on 26 November 2013)

**REPRESENTATION OF THE UNITED NATIONS CHILDREN'S FUND  
AT MEETINGS OF THE COUNCIL**

*The Council,*

*Having received* the request of the United Nations Children's Fund for representation by an observer (MC/2385),

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

Resolves to invite the United Nations Children's Fund to designate observers to its meetings.

RESOLUTION No. 1258 (CIII)

(Adopted by the Council at its 530th meeting on 26 November 2013)

**REPRESENTATION OF THE TERRE DES HOMMES  
INTERNATIONAL FEDERATION  
AT MEETINGS OF THE COUNCIL**

*The Council,*

*Having received* the request of the Terre des Hommes International Federation for representation by an observer (MC/2391),

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

Resolves to invite the Terre des Hommes International Federation to designate observers to its meetings.

RESOLUTION No. 1259 (CIII)

(Adopted by the Council at its 530th meeting on 26 November 2013)

**REPRESENTATION OF CARAM ASIA  
AT MEETINGS OF THE COUNCIL**

*The Council,*

*Having received* the request of CARAM Asia for representation by an observer (MC/2392),

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

Resolves to invite CARAM Asia to designate observers to its meetings.

RESOLUTION No. 1260 (CIII)

(Adopted by the Council at its 531st meeting on 26 November 2013)

**REPORT ON THE 101ST SESSION OF THE COUNCIL AND  
THE 102ND (SPECIAL) SESSION OF THE COUNCIL**

*The Council,*

*Having received and reviewed* the draft reports on the 101st Session (MC/2361) and the 102nd (Special) Session (MC/2373) of the Council,

Resolves to approve the reports.

RESOLUTION No. 1261 (CIII)

(Adopted by the Council at its 531st meeting on 26 November 2013)

**REPORT ON THE 110<sup>TH</sup> SESSION  
OF THE EXECUTIVE COMMITTEE**

*The Council,*

*Recalling* that pursuant to Resolution No. 1245 of 27 November 2012 the Executive Committee was invited to take at its session in June 2013 such action as might be deemed necessary in accordance with Article 12 (c) and (e) of the Constitution as they were prior to the entry into force of the amendments adopted by Resolution No. 997 of 26 November 1998,

*Having received and reviewed* the report on the 110th Session of the Executive Committee (MC/2378),

*Resolves:*

1. To take note, with appreciation, of the report of the Executive Committee (MC/2378);

2. To approve the decision of the Executive Committee regarding the revision of the terms of reference of the IOM Audit Advisory Committee.

RESOLUTION No. 1262 (CIII)

(Adopted by the Council at its 531st meeting on 26 November 2013)

**ENTRY INTO FORCE OF THE AMENDMENTS TO THE CONSTITUTION**

*The Council,*

*Recalling* its Resolution No. 997 of 24 November 1998, by which it adopted amendments to the Constitution,

*Recalling also* Article 25, paragraph 2, of the Constitution subjecting the coming into force of amendments containing no new obligations for Member States to acceptance by two thirds of the Member States in accordance with their respective constitutional processes,

*Having taken note* of the procedures outlined in document MC/2387,

*Having been informed* by the Director General that two thirds of the Member States have sent notification of their acceptance of the amendments to the Constitution,

*Resolves:*

1. To take note with satisfaction of the entry into force of the amendments on 21 November 2013;
2. To express its confidence that this positive development will enable the International Organization for Migration to fulfil better its global responsibilities.



RESOLUTION No. 1263 (CIII)

(Adopted by the Council at its 531st meeting on 26 November 2013)

**REVISION OF THE RULES OF PROCEDURE FOR THE COUNCIL,  
OF THE TERMS OF REFERENCE OF THE STANDING COMMITTEE ON  
PROGRAMMES AND FINANCE AND OF THE RULES OF PROCEDURE FOR  
THE STANDING COMMITTEE ON PROGRAMMES AND FINANCE,  
AND OTHER CONSEQUENTIAL DECISIONS**

*The Council,*

*Recalling* its Resolution No. 997 of 24 November 1998, by which it adopted amendments to the Constitution,

*Recalling also* Article 25, paragraph 2, of the Constitution subjecting the coming into force of amendments containing no new obligations for Member States to acceptance by two thirds of the Member States in accordance with their respective constitutional processes,

*Recognizing* that consequential changes to the Rules of Procedure for the Council, to the terms of reference of the Standing Committee on Programmes and Finance and to the Rules of Procedure for the Standing Committee on Programmes and Finance are needed to ensure coherence and effective functioning of the Organization,

*Recalling* also Rule 48 of its Rules of Procedure stating that any of the rules may be amended by the Council, provided that the proposed amendment be consistent with the Constitution of the Organization,

*Recalling* also Rule 23 of the Rules of Procedure for the Standing Committee on Programmes and Finance stating that any of these rules may be amended by the Standing Committee subject to the approval of the Council,

*Noting* also the recommendation by the Standing Committee on Programmes and Finance to proceed with a revision of the Rules of Procedure for the Council in order to be in conformity with the revised Constitution,

*Noting* also the recommendation by the Standing Committee on Programmes and Finance to approve the changes to the terms of reference and the Rules of Procedure for the Standing Committee on Programmes and Finance in order to be in conformity with the revised Constitution,

*Resolves:*

1. To amend its Rules of Procedure, as contained in Annex IV of document MC/2387;

2. To amend the terms of reference of the Standing Committee on Programmes and Finance, as contained in Annex V of document MC/2387;

3. To approve the amended Rules of Procedure for the Standing Committee on Programmes and Finance, as contained in Annex VI of document MC/2387;

4. To decide that a Member State that has lost its right to vote in application of Article 4 of the Constitution, as amended, but has concluded a payment plan with the Organization to pay its arrears and is up to date with the payments under such payment plan, meets the requirements for the maintenance or restoration of its vote as provided for in Article 4, as amended, and that such a Member State, following a report by the Director General to this effect, will have the right to vote during the relevant session of the Council and the succeeding intersessional period ending at the beginning of the next regular session of the Council.

RESOLUTION No. 1264 (CIII)

(Adopted by the Council at its 531st meeting on 26 November 2013)

**REVISION OF STAFF REGULATIONS**

*The Council,*

*Recalling* its Resolution No. 1205 of 1 December 2010, by which it adopted the revised Staff Regulations for IOM staff members with effect from 1 March 2011,

*Reaffirming* the principle that the conditions of service for IOM staff members should correspond as closely as possible to those prevailing for the staff of the United Nations and its specialized agencies,

*Having received and examined* document MC/2386 of 20 September 2013, submitted by the Director General, entitled Revision of Staff Regulations,

*Having taken into account* the comments and recommendations of the Standing Committee on Programmes and Finance (MC/2394),

*Acting* pursuant to Article 14 of the Constitution,

Resolves to adopt, with effect from 1 January 2014, the revised Staff Regulations 4.3 and 9.1, to read as indicated in Annex I to document MC/2386.

RESOLUTION No. 1265 (CIII)

(Adopted by the Council at its 531st meeting on 26 November 2013)

**FUNDING THE CORE STRUCTURE**

*The Council,*

*Acknowledging* that the core structure has become overstretched while the Organization's project activity has grown significantly, and that the funding for the core structure has not kept pace,

*Mindful* that the overstretched condition presents a challenge to adequately support and oversee the Organization's operations and activities, increasing the risk of cost inefficiencies, fraud and mismanagement,

*Committed* to finding a sustainable solution to the issue of funding the core structure,

*Having reached* a common understanding that the core structure of the Organization needs to be strengthened to enable the Organization to function more efficiently and cost-effectively,

*Recalling* decisions to provide interim relief through the addition of assessed contributions from new Member States to the Administrative Part of the Budget (Resolution No. 1230 adopted in December 2011) and by reducing the balance of the Operational Support Income reserve mechanism to 5 million United States dollars (Resolution No. 1240 adopted in November 2012),

*Having explored* alternative funding sources and concluded that private-sector fundraising could enhance the visibility of the Organization and migration issues, but would require a large investment and would not assist materially with funding the core structure,

*Conscious* of the impact of the prolonged global economic crisis on the economy of a number of Member States,

*Noting with appreciation* the various cost-efficiency measures undertaken by the Administration, which it continues to pursue,

*Affirming* the importance of concluding host country agreements which uniformly include privileges and immunities that are substantively similar to those accorded to the United Nations specialized agencies, for fairness to all Member States and for the overall efficiency and cost-effectiveness of the Organization, and noting that a specific resolution is being proposed on this matter,

*Encouraging* Member States to consider adopting a single audit approach for project audits in order to reduce the administrative burden on the Organization,

*Urgently appealing* to Member States with outstanding arrears on their assessed contributions to pay their contributions in full without delay or to agree to a payment plan in consultation with the Administration and to fully respect the payment conditions,

*Taking advantage* of the impact of changes in the United Nations scale of assessment which has resulted in significant reductions in the assessed contributions to IOM for a number of Member States,

*Affirming* the importance of the universal participation of Member States in financing the core structure through assessed contributions, project overhead rates, and alternative funding sources such as personnel secondments,

*Having considered* various options to address the problem,

1. *Decides* that the additional core funding needs will be met through a combination of budget-strengthening measures to be carried out over a three-year implementation period, and more specifically:

- (a) To increase the level of the Administrative Part of the Budget by 4 per cent, calculated on the 2013 total assessed contribution, in 2014, and by the same amount in 2015 and 2016;
- (b) To increase the standard project overhead rate from 5 per cent to 7 per cent. Member States commit to apply the 7 per cent rate for all new projects, and are encouraged to raise rates by a proportional amount on existing projects. Projects funded by developing countries may continue at reduced rates;
- (c) That the current programme of cost-efficiency measures will be continued;
- (d) That efforts will continue to identify alternative funding sources, including secondments and unearmarked contributions;

2. *Requests* the Director General to submit an annual progress report on the above combination of measures to the Standing Committee on Programmes and Finance during the implementation period;

3. *Decides* to review the effects of inflation on IOM in three years' time, hence in 2016, and then decide on rates of increase in the Administrative Part of the Budget from 2017 onwards to avoid a repeat of the erosion of the budget situation and the undermining of the budget-strengthening actions taken above;

4. *Encourages* all Member States to support the single audit principle, relying on IOM's organization-wide audit mechanism, including the complementary functions of the IOM External Auditor, the Office of the Inspector General and the Audit and Oversight Advisory Committee. Part of the funding from the budget-strengthening measures will be devoted to improving and enhancing IOM's audit capacity, including its independent and regular reporting to Member States;

5. *Encourages* all Member States to rely on the IOM audit mechanism rather than conducting their own audits of specific projects. Where such audits are unavoidable, the Director General is requested to establish a policy requiring reimbursement to the Organization of all costs of such audits.

RESOLUTION No. 1266 (CIII)

(Adopted by the Council at its 531st meeting on 26 November 2013)

**IMPROVING THE PRIVILEGES AND IMMUNITIES  
GRANTED TO THE ORGANIZATION BY STATES**

*The Council,*

*Recognizing* the need for the Organization and its staff to be granted privileges and immunities to ensure the independent and effective functioning of the Organization,

*Emphasizing* the need for equity and fairness among States in creating an enabling situation for the Organization to function in such manner, and that no State should be placed in an unduly favourable position in this regard,

*Noting* the provisions of Articles 22 and 23 of the Organization's Constitution and the fact that the Organization concludes agreements on privileges and immunities with States on a bilateral basis,

*Aware* that the Organization does not benefit from existing multilateral conventions granting privileges and immunities to the United Nations, its specialized agencies and related organizations,

*Concerned* about the inconsistency between, and often absence of, the privileges and immunities the Organization enjoys in the different Member States, Observer States and other States where it has activities and the consequential difficulties to exercise its functions and fulfil its purposes,

*Conscious* of the high transactional effort and cost for both States and the Organization and the additional burden this places on the core structure of the Organization during a particularly challenging period,

1. *Calls on* Member States, Observer States and other States where the Organization has activities to grant the Organization privileges and immunities substantively similar to those that the United Nations specialized agencies are entitled to in accordance with the Convention on the Privileges and Immunities of the Specialized Agencies (1947);

2. *Requests* the Director General to engage with all Member States, Observer States and other States where the Organization has activities which do not grant the Organization privileges and immunities substantively similar to those that the United Nations specialized agencies are entitled to in accordance with the Convention on the Privileges and Immunities of the Specialized Agencies (1947), with a view to concluding agreements that provide for the granting of such privileges and immunities to the Organization and calls on States to cooperate fully with the Director General in this regard;

3. *Further requests* the Director General to evaluate the long-term possibility of developing a multilateral agreement consistent with the Convention on the Privileges and Immunities of the Specialized Agencies (1947);
4. *Also requests* the Director General to report annually to the Council, through the Standing Committee on Programmes and Finance, on the implementation of this resolution.

RESOLUTION No. 1267 (CIII)

(Adopted by the Council at its 531st meeting on 26 November 2013)

**PROGRAMME AND BUDGET FOR 2014**

*The Council,*

*Having received and examined* the Programme and Budget for 2014 (MC/2380),

*Having taken into account* the comments and recommendations of the Standing Committee on Programmes and Finance (MC/2394),

*Conscious* of the core budgetary needs for the administration of the Organization,

*Recognizing* the funding constraints of Member States as a result of the global economic crisis,

*Mindful* of the ongoing discussions on budget reform in IOM by the Member States in consultation with the Administration, with a view to finding solutions to address, *inter alia*, the coverage of the core structure,

*Resolves:*

1. To approve the Programme for 2014;
2. To adopt the Budget for 2014 in the amounts of 40,982,857 Swiss francs for the Administrative Part and 740,602,000 United States dollars for the Operational Part of the Budget;
3. 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;
4. To request the Director General to report to the Standing Committee on Programmes and Finance at its next session in 2014 any necessary revision of the estimates contained in the Budget for 2014 taking into account any additional measures that may be necessary in order to achieve a balanced budget by the end of 2014;
5. To authorize the Standing Committee on Programmes and Finance, at its spring session in 2014, to adopt a scale of assessment for the year 2015, on the basis of an IOM assessment scale fully equated to that of the United Nations, as set forth in document SCPF/4 and updated with the addition of new Member States;
6. 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 2014.



RESOLUTION No. 1268 (CIII)

(Adopted by the Council at its 536th meeting on 29 November 2013)

**CONVENING OF THE NEXT REGULAR SESSION**

*The Council,*

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

*Resolves:*

1. To hold its next regular session in November 2014 in Geneva, at the call of the Director General;
2. To invite the Standing Committee on Programmes and Finance to meet during the month of June 2014 for the purpose of taking, on behalf of the Council, such action as it may deem necessary in connection with the Financial Report for the year ended 31 December 2013, the Report of the Director General on the work of the Organization for 2013, a revision of the Budget for 2014, the scale of assessment for 2015 and matters related thereto;
3. To invite the Standing Committee on Programmes and Finance to meet again in October 2014 to consider matters under its remit in accordance with its terms of reference.

RESOLUTION No. 1269 (CIII)

(Adopted by the Council at its 536th meeting on 29 November 2013)

**CONVENING OF A SPECIAL SESSION OF THE COUNCIL**

*The Council,*

*Taking into consideration* the provisions of Article 13 of the Constitution,

*Considering* that, in accordance with Resolution No. 1183 of 29 June 2009, the term of office of the present Deputy Director General began on 1 September 2009 for a period of five years,

Resolves to meet in a special session in June 2014 at the call of its chairperson, in order to proceed with the election of a Deputy Director General.

RESOLUTION No. 1270 (CIII)

(Adopted by the Council at its 536th meeting on 29 November 2013)

**IOM'S ROLE IN THE POST-2015 UN DEVELOPMENT AGENDA**

*The Council,*

*Taking note* of the outcome document adopted at the Rio+20 Conference “The Future We Want” and the report by the UN Secretary General entitled “A life of dignity for all: accelerating progress towards the Millennium Development Goals and advancing the United Nations development agenda beyond 2015” of 26 July 2013,

*Taking note* of the “Outcome document of the special event to follow up efforts made towards achieving the Millennium Development Goals” of the UN General Assembly of 25 September 2013,

*Taking further note* of the Dhaka Declaration, adopted at the Global Leadership Meeting on Population Dynamics in Dhaka on 12-13 March 2013,

*Recalling* the Declaration of the High-level Dialogue on International Migration and Development, adopted by the General Assembly on 3 October 2013,

*Recognizing* IOM's extensive expertise and field-based experience in aspects related to migration and development together with the other Global Migration Group members, in supporting governments with expertise and technical knowledge for the integration of migration in the post-2015 UN Development Agenda,

*Bearing in mind* the unparalleled scope of the IOM migration programme and project portfolio, and its existing mandate under the IOM Constitution Article 1, paragraph 1(e), to “provide a forum to States as well as international and other organizations for the exchange of views and experiences, and the promotion of co-operation and co-ordination of efforts on international migration issues”,

*Noting* the interdependence of migration and development and the fact that well-managed and safe migration meaningfully contributes to the development of migrants' countries of origin, transit and destination and to that of individual migrants and their families,

*Recognizing* IOM's commitment to the principle of partnership and cooperation as the most effective means of addressing opportunities and challenges posed by migration to development,

*Resolves to:*

1. Affirm the support of the Member States for the recognition of IOM's role in the ongoing consultations on the Post-2015 UN development agenda process;
2. Request Member States and IOM to give due consideration to international migration in the elaboration of the post-2015 UN development agenda;
3. Request IOM to continue to engage in the ongoing consultations of the Post-2015 UN development agenda process in order to inform and support Member States upon request in their participation on this matter, in particular with discussions related to migration and development;
4. Encourage Member States to consider this resolution in the lead-up to the discussions in the Sixty-ninth Session of the UN General Assembly and for the Summit in September 2015.