



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

COUNCIL

CONSEIL

CONSEJO

SEVENTY-SECOND SESSION

RESOLUTION No. 952 (LXXII)

(Adopted by the Council at its 410th meeting on 20 November 1996)

**RECOGNITION OF THE JURISDICTION OF THE ADMINISTRATIVE
TRIBUNAL OF THE INTERNATIONAL LABOUR ORGANISATION**

The Council,

Stressing the importance, for international organizations, of administrative tribunals exercising judicial control over decisions affecting staff members,

Recalling its Resolution No. 263 (XVIII) of 12 November 1962 whereby it adopted the Statute of the Appeal Board,

Convinced of the need to strengthen further the efficiency of the appeal mechanisms available to IOM staff members,

Having received and examined document MC/1875 submitted by the Director General on IOM Administrative Tribunal, and in particular the recommendation contained in its paragraph 31,

Taking into account the comments and recommendations of the Executive Committee (MC/1891),

Resolves:

1. To recognize, effective 1 July 1997, the jurisdiction of the Administrative Tribunal of the International Labour Organisation to hear complaints alleging non-observance, in substance or in form, of the terms of appointment of staff members and of provisions of the Staff Regulations and Rules of the International Organization for Migration;

2. To authorize the Director General to address to the Director-General of the International Labour Office the declaration required under Article 2, paragraph 5, of the Statute of the Tribunal and to complete the necessary administrative arrangements;

3. Effective 1 July 1997 and subject to satisfactory completion of the formalities referred to under operative paragraph 2:

- (a) to modify Staff Regulation for Officials 11.3 to read as follows:
“11.3 Appeal to the Administrative Tribunal of the International Labour Organisation

Any dispute between the Administration and an official which has not been settled internally in compliance with the provision of Regulation 11.2, may be referred for final decision to the Administrative Tribunal of the International Labour Organisation in accordance with its Statute and Rules of Procedure.”;

- (b) to modify Staff Regulation for Employees 11.3 to read as follows:
“11.3 Appeal to the Administrative Tribunal of the International Labour Organisation

Any dispute between the Administration and an employee which has not been settled internally in compliance with the provision of Regulation 11.2, may be referred for final decision to the Administrative Tribunal of the International Labour Organisation in accordance with its Statute and Rules of Procedure.”;

- (c) to delete accordingly Annex III of the Staff Regulations for Officials and Annex I of the Staff Regulations for Employee, which both contain the Statute of the IOM Appeal Board.