

**MC/INF/299**

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**NINETY-EIGHTH SESSION**

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**ACCEPTANCE OF THE  
AMENDMENTS TO THE CONSTITUTION**

## **ACCEPTANCE OF THE AMENDMENTS TO THE CONSTITUTION**

1. At its Seventy-sixth Session the Council adopted amendments to the Constitution (Council Resolution 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 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, the most recent being a letter dated 27 February 2009 and sent to States that had not yet accepted the amendments (see Annex I).
3. To date, only 59 States have notified the Director General of their acceptance of the amendments (see Annexes II and III), out of a total membership of 127 States.
4. Member States which have not yet accepted the amendments 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

27 February 2009

xxx,

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 a most important development for the future of our Organization. They are annexed to Resolution No. 997 (LXXVI), a copy of which is enclosed for easy reference.

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

As indicated in the information document (MC/INF/292) submitted by the Administration at the 96th Session of the Council in December 2008, only 55 States have ratified so far these amendments, out of a total membership of 125 (see list enclosed). In my capacity as Chairman of the IOM Council, I urge your Government to take decisive steps towards accepting these amendments which, once into force, will allow the Organization better to fulfill its responsibilities.

I am confident of being able to count on the support of your Government in this undertaking which will enable the Organization to have a suitable legal framework to meet its objectives.

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

Germán Mundaraín Hernández  
Chairman of the IOM Council

Annex IIMEMBER 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. Sierre 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. Libyan Arab Jamahiriya	4 June 2004
29. Bahamas	30 November 2004

	<u>Member States</u>	<u>Notification of acceptance received on:</u>
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
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

Annex III

MEMBER STATES YET TO ACCEPT THE AMENDMENTS TO THE CONSTITUTION

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|--------------------------------------|---|
| 1. Albania                           | 38. Kazakhstan  |
| 2. Angola                            | 39. Kenya   |
| 3. Argentina                         | 40. Kyrgyzstan  |
| 4. Armenia                           | 41. Liberia   |
| 5. Austria                           | 42. Luxembourg  |
| 6. Bangladesh                        | 43. Madagascar  |
| 7. Belize                            | 44. Nicaragua   |
| 8. Benin                             | 45. Niger   |
| 9. Bolivia (Plurinational State of)  | 46. Nigeria   |
| 10. Burkina Faso                     | 47. Pakistan  |
| 11. Canada                           | 48. Panama  |
| 12. Cape Verde                       | 49. Paraguay  |
| 13. Chile                            | 50. Peru  |
| 14. Colombia                         | 51. Philippines   |
| 15. Congo                            | 52. Poland  |
| 16. Costa Rica                       | 53. Portugal  |
| 17. Côte d'Ivoire                    | 54. Republic of Moldova                                     |
| 18. Cyprus                           | 55. Rwanda  |
| 19. Democratic Republic of the Congo | 56. Serbia  |
| 20. Dominican Republic               | 57. South Africa  |
| 21. Egypt                            | 58. Sri Lanka   |
| 22. El Salvador                      | 59. Sudan   |
| 23. Gabon                            | 60. Switzerland   |
| 24. Gambia                           | 61. Tajikistan  |
| 25. Georgia                          | 62. Uganda  |
| 26. Germany                          | 63. United Kingdom of Great<br>Britain and Northern Ireland |
| 27. Guatemala                        | 64. Uruguay   |
| 28. Guinea                           | 65. Venezuela (Bolivarian<br>Republic of)                   |
| 29. Guinea-Bissau                    | 66. Yemen   |
| 30. Haiti                            | 67. Zambia  |
| 31. Honduras                         | 68. Zimbabwe  |
| 32. India                            |   |
| 33. Iran (Islamic Republic of)       |   |
| 34. Ireland                          |   |
| 35. Israel                           |   |
| 36. Italy                            |   |
| 37. Jordan                           |   |