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ADMINISTRATIVE TRIBUNAL: EXTENSION OF ITS PERIOD OF JURISDICTION

OUTLINE

In accordance with Staff Regulation 11.2, the Director-General submits to the General Conference the question of the renewal of the jurisdiction of the Administrative Tribunal of the International Labour Organization to consider appeals lodged by staff members.

Decision required: paragraph 7.

1. Staff Regulation 11.2 states that: "The Administrative Tribunal approved from time to time by the General Conference shall be the final court of appeal for staff members against a decision of the Director-General alleged to conflict with their terms of appointment, or with any relevant regulation".
2. Since 1953, UNESCO, like most of the other organizations of the United Nations system with headquarters in Europe, has recognized the jurisdiction of the Administrative Tribunal of the International Labour Organization (ILOAT). The General Conference renewed UNESCO's recognition of the Tribunal's jurisdiction regularly, for periods of six years, until its 25th session in 1995 (25 C/Resolution 43).
3. Since 1996, by 28 C/Resolution 32, 29 C/Resolution 79 and 30 C/Resolution 75, the General Conference has renewed UNESCO's recognition of the jurisdiction of ILOAT for successive periods of two years only.
4. This two-year renewal was explained by the fact that a study to improve the system of administering justice had been undertaken in conjunction with other international organizations of the United Nations common system. The study, however, did not lead either to the introduction of the second-tier appeals system for the administration of justice in the system of the United Nations or its unification.

5. As a result, 31 C/Resolution 61 of the General Conference reverted in 2001 to the practice of renewing the recognition of the Tribunal for six-year periods, in particular for the period from 1 January 2002 to 31 December 2007.

6. In view of the foregoing, the Director-General recommends to the General Conference that it renew the Organization's recognition of the jurisdiction of ILOAT for a period of six years, as from 1 January 2008.

7. The General Conference may wish to adopt the following draft resolution:

The General Conference,

Having taken note of document 34 C/21,

Decides to renew, for the period from 1 January 2008 to 31 December 2013, UNESCO's recognition of the jurisdiction of the Administrative Tribunal of the International Labour Organization for cases arising under Staff Regulation 11.2.