



Governing Body

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Programme, Financial and Administrative Section
Personnel Segment

PFA

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ELEVENTH ITEM ON THE AGENDA

Matters relating to the Administrative Tribunal of the ILO

Composition of the Tribunal

Purpose of the document

This paper contains proposals concerning the renewal of term of office of four judges of the ILO Administrative Tribunal and the appointment of a new judge. See the draft decision in paragraph 6.

Relevant strategic objective: None.

Policy implications: None.

Legal implications: Proposed draft Conference resolution for the renewal of the term of office of four judges and the appointment of one new judge.

Financial implications: None.

Follow-up action required: None.

Author unit: Office of the Legal Adviser (JUR).

Related documents: None.

1. Pursuant to article III of its Statute, the Administrative Tribunal consists of seven judges appointed for three-year terms by the Conference of the International Labour Organization.
2. The present composition of the Tribunal is as follows:
 - Mr Giuseppe Barbagallo (Italy), President: term of office expires in July 2015;
 - Mr Claude Rouiller (Switzerland), Vice-President: term of office expires in July 2016;
 - Mr Seydou Ba (Senegal): term of office expires in July 2015;
 - Mr Patrick Frydman (France): term of office expires in July 2016;
 - Ms Dolores Hansen (Canada): term of office expires in July 2015;
 - Mr Michael Moore (Australia): term of office expires in July 2015;
 - Sir Hugh Rawlins (Saint-Kitts and Nevis): term of office expires in July 2015.
3. There are five judges whose terms of office are due to expire in July 2015: Mr Ba, Mr Barbagallo, Ms Hansen, Mr Moore and Sir Rawlins. All, except Judge Ba, have expressed their willingness and availability to accept a new three-year term. Judge Ba (born in 1939) has reached the maximum retirement age customarily set by the judges for themselves. Judge Ba has served the Tribunal since 1997 and contributed during these many years to the important development of international civil service law.
4. The Governing Body may wish to propose to the Conference that it convey its deep appreciation to Mr Seydou Ba for the valuable services he has rendered to the work of the Administrative Tribunal over the past 18 years as judge, Vice-President (2006–07) and President of the Tribunal (2007–09 and 2011–13).
5. Following the departure of Mr Ba, the post of one judge will fall vacant. In keeping with long-standing practice whereby members of the Tribunal are appointed from among persons holding or who have held high judicial office, with account being taken of the need for an overall equilibrium at the linguistic level, and in terms of different systems of law, geographical representation and gender balance, the Director-General, after consultation with the Officers of the Governing Body, wishes to propose the following appointment for a period of three years:
 - Ms Fatoumata Diakité (Côte d’Ivoire)

Born in 1958, Judge at the Administrative Chamber of the Supreme Court of Côte d’Ivoire (since 2005). Formerly President of a Chamber at the Appeals Court of Abidjan (1994–2005); Judge at the Appeals Court of Abidjan (1993–94); Vice-President of the Court of First Instance of Abidjan and Senior Investigating Judge (1992–93); Judge at the Court of First Instance of Abidjan (1985–1992); Investigating Judge at the Court of First Instance of Abidjan (1983–85). Graduate of the Law Faculty of the National University of Côte d’Ivoire (1981) and of the French National School for the Judiciary (Ecole nationale de la magistrature), Paris (1983). Former President, Union internationale des magistrats (2010–14). Linguistic skills: French (native speaker); English (read and spoken); Spanish (read and spoken).

Draft decision

6. The Governing Body:

- (a) recommends to the Conference that it convey its deep appreciation to Mr Seydou Ba for the valuable services he has rendered to the work of the Administrative Tribunal of the International Labour Organization over the past 18 years as judge, Vice-President and President of the Tribunal;*
- (b) proposes to the Conference:*
 - (i) the renewal of the terms of office of Mr Giuseppe Barbagallo (Italy), Ms Dolores Hansen (Canada), Mr Michael Moore (Australia) and Sir Hugh Rawlins (Saint-Kitts and Nevis) for three years each;*
 - (ii) the appointment of Ms Fatoumata Diakité (Côte d'Ivoire) for a term of office of three years;*
- (c) thus decides to propose the following draft resolution for possible adoption by the Conference:*

The General Conference of the International Labour Organization,

Decides, in accordance with article III of the Statute of the Administrative Tribunal of the International Labour Organization,

- (a) to convey its deep appreciation to Mr Seydou Ba (Senegal) for the valuable services he has rendered to the work of the Administrative Tribunal of the International Labour Organization over the past 18 years as judge, Vice-President and President of the Tribunal;
- (b) to renew the appointments of Mr Giuseppe Barbagallo (Italy), Ms Dolores Hansen (Canada), Mr Michael Moore (Australia) and Sir Hugh Rawlins (Saint-Kitts and Nevis) for a term of three years; and
- (c) to appoint Ms Fatoumata Diakité (Côte d'Ivoire) for a term of three years.