



UNION SYNDICALE FEDERALE

des Services publics européens et internationaux

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Brussels, 28 September 2016

Mr G. RYDER
Director General ILO

Dear Mr Ryder, dear Guy,

USF took thoroughly note of the results of the debate of the ILO Governing Board before the 2016 summer break and your response to USF dated 25 February 2016.

As the Staff Union of the ILO indicated in their comments, we appreciate the efforts provided to improve Art.VI of the ILOAT Statute.

USF continues to support all efforts of our peer unions aiming at improving or introducing:

- review procedures,
- oral proceedings,
- the creation of an appellate body following the example of the UNAT,
- the creation of an injunction procedure for urgent cases,
- all measures designed to enhance the independence and impartiality of the ILOAT,
- improvement of internal quasi-judicial bodies at the international organisations which use the service of the ILOAT,
- improvement of the means at disposal of the ILOAT, especially in terms of staff.

USF also reiterates the wish to improve the legal instruments available to the ILOAT Judges, notably through a closer link between staff rules and UN and ILO Conventions.

No staff rules should have effects contrary to these high level instruments imposed on the same Member States, certainly not outside any possibility of judicial redress.

The suppression of Art. XII ILOAT statute in the new version (2016) indeed allows to reestablish equality of arms before the judicial system, but at the same time this suppression creates an uncertainty whether UN or ILO Conventions are sufficiently respected in the staff rules applicable within the meaning of Art. II ILOAT Statute. All unions of the international civil service and the public currently witness a growing number of breaches of fundamental rights inside international organisations, especially

rights protected by ILO Conventions 87, 98, 151, the UNCCPR and the UN Convention against corruption. Articles 32 and 33 of this Convention (Protection of witnesses, experts, victims and reporting persons) need to become applicable law as far as possible under the jurisdiction of ILOAT.

A quick search in the media reports or internal reports still reveals worrying developments in almost all international organisations, calling for a strengthening of the position of all staff on all levels willing to keep to the official mission assigned to each of these organisations.

Concretely, USF suggests that approaches be explored to include the scope and content of UN and ILO Conventions into Art.II ILOAT Statute.

As a complement, it should also be possible to open up partnerships with appropriate bodies like the High Commissioner for Human Rights under Art.11 ILOAT Rules.

USF firmly believes that reinforcing the role of ILOAT and applying universal transparency and efficiency criteria to the international civil service is a prerequisite for its long term success and reputation.

Yours sincerely,



Dr. Bernd LOESCHER
President

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