



Governing Body

310th Session, Geneva, March 2011

GB.310/PFA/14/1

Programme, Financial and Administrative Committee

PFA

FOR DECISION

FOURTEENTH ITEM ON THE AGENDA

Matters relating to the Administrative Tribunal of the ILO

Composition of the Tribunal

Overview

Issues covered

This paper contains proposals concerning the renewal and appointment of judges of the Administrative Tribunal of the ILO.

Policy implications

None.

Legal implications

Proposed submission of a draft resolution to the Conference for renewal of the term of office of one judge for three years and appointment of a new judge for a term of office of three years.

Financial implications

None.

Decision required

Paragraph 5.

References to other Governing Body documents and ILO instruments

None.

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1. Pursuant to article III of its Statute, the Administrative Tribunal consists of seven judges appointed for three years by the Conference of the International Labour Organization. The present composition of the Tribunal as confirmed by the Conference is the following:
 - Ms Mary G. Gaudron (Australia), President: term of office expires in July 2011;
 - Mr Seydou Ba (Senegal), Vice-President: term of office expires in July 2012;
 - Mr Agustín Gordillo (Argentina): term of office expires in July 2013;
 - Mr Claude Rouiller (Switzerland): term of office expires in July 2013;
 - Mr Giuseppe Barbagallo (Italy): term of office expires in July 2012;
 - Ms Dolores M. Hansen (Canada): term of office expires in July 2012;
 - Mr Patrick Frydman (France): term of office expires in July 2013.

 2. The term of office of Ms Gaudron is due to expire in July 2011. Ms Gaudron has expressed her willingness and availability to accept a new three-year term. In addition, Mr Gordillo, whose term of office was due to expire in July 2013, has communicated his resignation due to ill health. There is therefore a vacancy to be filled.

 3. In keeping with long-standing practice, the Director-General, after consultation with the Officers of the Governing Body, examines potential candidatures for the position of Judge of the Administrative Tribunal on the basis of several criteria: candidates must have experience as judges of a high national jurisdiction or equivalent status at the international level and must be representative of different systems of law. An overall balance at the linguistic and geographical levels must also be ensured. The Director-General then recommends to the Governing Body, through its Programme, Financial and Administrative Committee, the names of persons that the Conference will be invited to nominate as judges in order to fill the vacant posts in the Tribunal.

 4. The Director-General, after consultation with the Officers of the Governing Body, therefore wishes to propose the following appointment for a period of three years:
 - Ms Suzie d’Auvergne (Saint Lucia)

Born in Saint Lucia in 1942, Judge on the Administrative Tribunal of the Organization of American States. Bachelor of Law LL.B (Hons) (External) from London University, England (1972). Admitted to the Bar at Middle Temple, London (1974), Saint Lucia Bar (1975). Magistrate of the First District Court of Saint Lucia and Additional Magistrate to the Second District Court of Saint Lucia (1979–82). Director of Public Prosecutions (1982–88); Solicitor General of Saint Lucia (1988–90). Puisne Judge of the Eastern Caribbean States (1990–2004). Judge on the Court of Appeal of the Organization of the Eastern Caribbean States (2004). Chairperson, Constitutional Reform Commission, Saint Lucia (2005–10). Linguistic skills: English (mother tongue) and French (read and spoken).

 5. *The Committee may accordingly wish, through the draft resolution below:*
 - (a) *to recommend to the Governing Body, and through it to the Conference, that they convey their appreciation to Mr Gordillo for the services he has rendered as judge of the Tribunal;*

(b) to recommend to the Governing Body that it propose to the 100th Session of the International Labour Conference:

(i) the renewal of the term of office of Ms Gaudron for three years;

(ii) the appointment of Ms d’Auvergne for a term of office of three years.

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 express to Mr Agustín Gordillo its appreciation for the services he has rendered to the work of the Administrative Tribunal as judge;
- (b) to renew the appointment of Ms Mary G. Gaudron (Australia) for a term of three years;
- (c) to appoint Ms Suzie d’Auvergne (Saint Lucia) for a term of three years.

Geneva, 22 March 2011

Point for decision: Paragraph 5