



Governing Body

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Programme, Financial and Administrative Section

PFA

Personnel Segment

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Tenth item on the agenda

Matters relating to the Administrative Tribunal of the ILO: Recognition of the Tribunal's jurisdiction by other international organizations

Purpose of the document

This document contains a proposal regarding the recognition of the Tribunal's jurisdiction by the International Organization for Marine Aids to Navigation (IALA) and the International Rubber Study Group (IRSG). The Governing Body is invited to approve the recognition of the Tribunal's jurisdiction by those organizations (see the draft decision in paragraph 13).

Relevant strategic objective: None.

Main relevant outcome: Enabler C: Effective, efficient, results-oriented and transparent management.

Policy implications: None.

Legal implications: Two additional international organizations under the jurisdiction of the ILO Administrative Tribunal.

Financial implications: None.

Follow-up action required: None.

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

Related documents: [GB.352/PV](#).

► Background

1. The Governing Body last approved the recognition of the jurisdiction of the Administrative Tribunal of the International Labour Organization (“the Tribunal”) by an international organization in October 2024.¹ The Director-General has since received declarations by two further international organizations recognizing that jurisdiction, which are now transmitted for the Governing Body’s approval.
2. In order to be entitled to recognize the jurisdiction of the Tribunal in accordance with article II(5) of its Statute, an international organization must either be intergovernmental in character or fulfil the following conditions, set out in the Annex to the Statute:
 - (a) it shall be clearly international in character, having regard to its membership, structure and scope of activity;
 - (b) it shall not be required to apply any national law in its relations with its officials, and shall enjoy immunity from legal process as evidenced by a headquarters agreement concluded with the host country; and
 - (c) it shall be endowed with functions of a permanent nature at the international level and offer, in the opinion of the Governing Body, sufficient guarantees as to its institutional capacity to carry out such functions as well as guarantees of compliance with the Tribunal’s judgments.

► International Organization for Marine Aids to Navigation

3. By letter of 2 July 2025 addressed to the Director-General of the ILO (see Appendix I), Mr Francis Zachariae, Secretary-General of the International Organization for Marine Aids to Navigation (IALA), asked that the IALA’s request for recognition of the Tribunal’s jurisdiction be submitted to the Governing Body for its approval.
4. The organization was founded in 1957 as the International Association of Lighthouse Authorities, a consultative technical non-governmental organization. The IALA was established as an intergovernmental organization under article 1 of the Convention on the International Organization for Marine Aids to Navigation (“the Convention”), which was adopted in 2020. The Convention remained open for signature by Member States of the United Nations from 27 January 2021 until 26 January 2022. To date, 50 States have signed, and 39 States have ratified, approved or acceded to the Convention, which entered into force on 22 August 2024. Currently, the Convention remains open for accession by any Member State of the United Nations which has not signed it.
5. The IALA’s mandate is to enhance maritime safety and environmental protection by improving and harmonizing marine aids to navigation globally. It promotes technical cooperation, capacity-building and the adoption of high standards, while facilitating the exchange of expertise and information among governments and relevant organizations.

¹ GB.352/PV, para. 1434.

6. In accordance with article 14 of the Convention, the IALA possesses international legal personality and has the capacity to contract and conclude agreements, to acquire and dispose of movable and immovable property, and to institute legal proceedings. The main organs of the IALA are the General Assembly, the Council, the committees and subsidiary bodies necessary to support the IALA's activities, and the Secretariat.
7. The IALA's headquarters are in Saint-Germain-en-Laye, France. Article 1 of the Agreement between the IALA and the Government of the French Republic regarding the Headquarters of the Organization, signed on 4 March 2025, specifically recognizes the IALA's legal personality. Pursuant to Article 5 of the IALA Headquarters Agreement, the IALA is immune from jurisdiction, except where such immunity is expressly waived by the Secretary-General, or in cases involving civil claims for damages resulting from accidents caused by vehicles owned by or operated on behalf of the IALA or from an infringement of road traffic violation involving such a vehicle, or in the event of a counter-claim directly connected with proceedings initiated by the IALA. In all other cases, immunity from jurisdiction may only be claimed if the other party to a dispute has access to a dispute settlement mechanism which guarantees impartiality and equity. Article 11 of the Headquarters Agreement sets out the privileges and immunities enjoyed by the IALA's permanent staff members, including immunity from legal process in respect of acts carried out by them in the exercise of their functions, including words written or spoken. The IALA currently employs 17 permanent staff members.²

► International Rubber Study Group

8. By letter of 3 March 2025 addressed to the Director-General of the ILO (see Appendix II), Mr Joseph Akinkugbe Adelegan, Secretary-General of the International Rubber Study Group (IRSG), asked that the IRSG's request for recognition of the Tribunal's jurisdiction be submitted to the Governing Body for its approval.
9. The IRSG is an intergovernmental organization that was established in 1944. It serves as a forum for dialogue on issues related to the production, consumption and trade of natural and synthetic rubber, while also collecting and disseminating comprehensive statistical data to enhance market transparency, and may cooperate with other relevant international organizations to advance its objectives. The IRSG has 34 Member Governments (7 national governments and the 27 Member States of the European Union).
10. In accordance with article XIII(1) of its Constitution, the IRSG has legal personality and the capacity to contract, acquire and dispose of movable and immovable property and to institute legal proceedings as governed by the Headquarters Agreement concluded between host country and the IRSG. The main organs of the IRSG are the Heads of Delegation (one appointed representative from each Member), the Secretariat, the Statistical and Economic Committee, and the Industry Advisory Panel, each of which plays a distinct role in governance, operations and advisory functions.
11. The IRSG has been headquartered in Singapore since 1 July 2008. Article 2(2) of the Headquarters Agreement between the Government of the Republic of Singapore and the IRSG, signed on 2 March 2009, specifically recognizes the IRSG's legal personality. Pursuant to Article 4 of the IRSG Headquarters Agreement, the IRSG is immune from jurisdiction, except

² For more information on the IALA, its structure and basic texts, see <https://www.iala.int/>.

where such immunity is expressly waived by the Secretary-General, or in cases involving civil action for damage arising from an accident caused by a motor vehicle belonging to or operated on behalf of the IRSG or in respect of a motor traffic offence involving such a vehicle. Article 9 of the IRSG Headquarters Agreement sets out the privileges and immunities enjoyed by the IRSG's professional staff members who are not citizens or permanent residents of Singapore, including immunity from jurisdiction in respect of acts performed by them, including words written or spoken, in their official capacity and falling within their functions. The IRSG currently employs six staff members.³

► Conclusion

12. Subject to the Governing Body's approval of the acceptance of the Tribunal's jurisdiction by the IALA and the IRSG, the Tribunal's jurisdiction will extend to 61 organizations other than the ILO. The recognition of the Tribunal's jurisdiction by other organizations should entail no additional cost to the ILO, since the organizations against which complaints are filed are required under the Statute to bear the expenses of sessions and pay any award of compensation made by the Tribunal. Those organizations also contribute, in amounts proportionate to the number of their staff, to most of the running costs of the Tribunal's registry.

► Draft decision

13. **The Governing Body approved the recognition of the Tribunal's jurisdiction by the International Organization for Marine Aids to Navigation (IALA) and the International Rubber Study Group (IRSG) with effect from the date of such approval.**

³ For more information on the IRSG, its structure and basic texts, see <https://www.rubberstudy.org/>.

► Appendix I



Mr. Gilbert F. Houngbo
Director-General of the International Labour
Organization
4 route des Morillons
CH-1211 Geneva 22
SWITZERLAND

Ref. 2025-147

Saint Germain en Laye, 2 July 2025

Recognition of the Jurisdiction of the International Labour Organization Administrative Tribunal

Greetings from the International Organization for Marine Aids to Navigation (IALA)

Dear Mr Houngbo,

I have the honour to present the request of the International Organization for Marine Aids to Navigation (IALA) to the Governing Body of the International Labour Organization (ILO) to extend the jurisdiction of the ILO Administrative Tribunal to IALA and its officials.

IALA was established in 1957 as a consultative technical non-governmental organization. Today it is recognized worldwide as the peak organization responsible for coordinating the continuous improvement and harmonization of Marine Aids to Navigation and related services to the benefit of safety of navigation, efficiency of shipping traffic and protection of the environment. It aims to fulfil its responsibilities by encouraging and facilitating the adoption of the highest practicable standards in matters concerning Marine Aids to Navigation and through international cooperation and the exchange of information among its members, governments and international organizations.

After a process of more than ten years a Diplomatic Conference took place in 2020 with final approval on the Convention for the new intergovernmental organization. The French government assumed the role of the depositary. The Convention opened for signatures in January 2021 and a signing ceremony was subsequently held in IALA HQ in January 2022, thereby commencing the ratification process. As of now, 50 States have signed, and 39 States have ratified, approved or acceded to the Convention. As a result, the Convention has entered into force on 22 August 2024.

IALA is hosted by the French Republic through a Headquarters Agreement. The agreement recognizes IALA juridical personality and confers on it and its official's privileges and immunities in accordance with international law. Accordingly, IALA is exempt from applying national law in its relations with its staff members and enjoys immunity from legal process.



The Organization is headquartered in Saint Germain-en-Laye in France and currently employs 17 permanent staff members. IALA also employs non-permanent staff members such as independent expert/consultants, students and interns.

IALA employs its staff members directly under its own Staff Rules. In June 2025, Council 02 approved Ed 2.0 of the Staff Rules which set out the fundamental conditions of service and the basic rights of the permanent and non-permanent staff members of the Organization. According to Rule 31 and Annex D of these Staff Rules, IALA staff members will be able to appeal to the ILO Administrative Tribunal against any act or decision of individual application contrary to the terms of her/his appointment or contrary to the IALA Staff Rules.

As set out above, IALA,

- a. is *international* in character, having regard to its establishment, membership, structure and scope of activity;
- b. is a subject of international law, and as such, is not required to apply any national law in its relations with its officials, and shall enjoy immunity from legal process; and
- c. has functions of permanent nature at the international level and offers sufficient guarantees as to its institutional capacity to carry out such functions as well as guarantees of compliance with the ILO Administrative Tribunal's judgments.

Accordingly, IALA meets the requirements set out in the annex to the Statute of the Administrative Tribunal of the ILO. You will find attached to the present letter:

- The IALA Convention.
- The amended Staff Rules approved by Council 02.
- The General and Financial Regulations approved by the 1st General Assembly in Singapore in February 2025.
- The Headquarters Agreement signed by IALA and the French Republic on 4 March 2025.

I would appreciate your assistance in transmitting IALA's declaration to request to recognise the jurisdiction of the ILO Administrative Tribunal and request the ILO Administrative Tribunal to extend its jurisdiction to IALA to the Governing Body for its review and approval.

In case you have any other questions, please contact the IALA Secretariat focal point Ms Christine PHILIP, Finance and Administrative Director at cph@iala.int

I remain at your disposal should you need any further information and avail myself of this opportunity to renew to you the assurances of my highest consideration.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'F. Zachariae', is written in a cursive style.

Francis Zachariae
Secretary-General of IALA

► Appendix II



International
Rubber Study Group

Ref. No: IRSG/2025/SG/JAA/ILO-DG/129

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Secretary-General and Executive Head of the IRSG Secretariat

OFFICE OF THE SECRETARY-GENERAL

03 March 2025

His Excellency, Mr. Gilbert F. Houngbo
The Director General
International Labour Organisation
4 route des Morillons
CH-1211 Geneva 22
SWITZERLAND



Dear Sir,

DECLARATION RECOGNIZING THE JURISDICTION OF THE INTERNATIONAL LABOUR ORGANISATION (ILO) ADMINISTRATIVE TRIBUNAL BY THE INTERNATIONAL RUBBER STUDY GROUP (IRSG) (SINGAPORE) TO HEAR COMPLAINTS ALLEGING NON-OBSERVANCE, IN SUBSTANCE OR IN FORM, OF THE TERMS OF APPOINTMENT OF OFFICIALS AND OF PROVISIONS OF THE STAFF REGULATIONS, IN ACCORDANCE WITH ITS CONSTITUTION OR INTERNAL ADMINISTRATIVE RULES, FOR THIS PURPOSE, AS WELL AS ITS RULES, AND WHICH IS APPROVED BY THE GOVERNING BODY

I bring you greetings from the International Rubber Study Group (IRSG), an international and intergovernmental organisation with 34 member governments with diplomatic immunity and headquarter agreements with the Government of Singapore. I want to congratulate you on your election by the ILO's Governing Body as the 11th Director-General of the International Labour Organisation, becoming the first African to hold the position with effect from 1 October 2022.

I am writing to **submit a declaration** as the **Secretary-General and Executive Head of the IRSG Secretariat** for the recognition of the Jurisdiction of the International Labour Organisation (ILO) Administrative Tribunal by the International Rubber Study Group (IRSG) (Singapore) to hear complaints alleging non-observance, in substance or in form, of the terms of appointment of officials and of provisions of the staff rules and regulations, in accordance with its constitution or internal administrative rules, for this purpose, as well as its rules, and which is approved by the Governing Body in accordance with Article II (Paragraph 5) and Annex I (Paragraph 1A) of the Statute of the Administrative Tribunal of the International Labour Organization (ILO) quoted below:

Article II (Paragraph 5) of the Statute of the Administrative Tribunal of the International Labour Organization (ILO)

The Tribunal shall also be competent to hear complaints alleging non-observance, in substance or in form, of the terms of appointment of officials and of provisions of the Staff Regulations of any other international organization meeting the standards set out in the Annex hereto which has addressed to the Director-General a declaration recognizing, in accordance with its Constitution or internal administrative rules, the jurisdiction of the Tribunal for this purpose, as well as its Rules, and which is approved by the Governing Body. Any such organization may withdraw its declaration recognizing the jurisdiction of the Tribunal under the procedure set out in the Annex.

Annex 1 (Paragraph 1A) of the Statute of the Administrative Tribunal of the International Labour Organization (ILO)

To be entitled to recognize the jurisdiction of the Administrative Tribunal of the International Labour Organization in accordance with paragraph 5 of article II of its Statute, an international organization **must either be** intergovernmental in character, **OR** fulfil the following conditions:

- (a) *it shall be clearly international in character, having regard to its membership, structure and scope of activity;*
- (b) *it shall not be required to apply any national law in its relations with its officials, and shall enjoy immunity from legal process as evidenced by a headquarters agreement concluded with the host country; and*
- (c) *it shall be endowed with functions of a permanent nature at the international level and offer, in the opinion of the Governing Body, sufficient guarantees as to its institutional capacity to carry out such functions as well as guarantees of compliance with the Tribunal's judgments.*

Your Excellency, the International Rubber Study Group (IRSG) established in 1944 and headquartered in Singapore has 34 member governments, including the European Union (27 countries), Nigeria, Cote d'Ivoire, Cameroon, Singapore, India, Sri Lanka, and Russia. The IRSG was recognised as an **international organisation, intergovernmental organisation and diplomatic institution** through the negotiation of a headquarters agreement with the Government of the United Kingdom in 1978. Subsequently, a new headquarters agreement with the government of Singapore was signed in 2008. The IRSG Secretariat is based in Singapore.

Dear Director General, the International Rubber Study Group (IRSG) has been gazetted under Section 2(2) of the International Organisations (Immunities and Privileges) Act 1948 of Singapore. As an international organisation with its own set of privileges and immunities granted by the Singapore government.

The IRSG is the biggest worldwide community in the rubber economy. The IRSG is the only intergovernmental organisation bringing together the world's rubber-producing and consuming stakeholders. The IRSG strives to provide an effective forum for the discussion of matters affecting the supply and demand for synthetic rubber and natural rubber. The International Rubber Study Group (IRSG) has the main objective of improving the transparency of the world rubber markets and strengthening international cooperation on rubber issues.

The Group is a platform for senior executives and representatives to provide insights through dedicated meetings, working groups, conferences, and projects. The annual IRSG meetings are among the largest regular assemblies of rubber experts worldwide. IRSG offers a unique opportunity to enhance collaboration beyond each company or organisation's peer group and connect with young leaders, innovators, and established entrepreneurs. The members, subscribers, and partners represent governments, companies, and organisations that are shaping and transforming the rubber industry in strategic and socially responsible ways.

Your Excellency, the International Rubber Study Group (IRSG) met the condition stated in **Annex 1 (Paragraph 1A) of the Statute of the Administrative Tribunal of the International Labour Organization (ILO)** which require that, for an organisation to be entitled to recognize the jurisdiction of the Administrative Tribunal of the International Labour Organization in accordance with paragraph 5 of article II of its Statute, an international organization must either be intergovernmental in character OR fulfil the condition stated in **Annex 1 (Paragraph 1B) of the Statute of the Administrative Tribunal of the International Labour Organization (ILO)**.

The International Rubber Study Group (IRSG) is an international organisation and intergovernmental organisation in character. In addition, The International Rubber Study Group (IRSG) adopts the United Nations Salary Scale and Conditions of Service as evidence from the attached IRSG Staff Rules and Regulations. Hence, the condition in Annex 1 (Paragraph 1B) of the Statute of the Administrative Tribunal of the International Labour Organization (ILO) is not required.

Notwithstanding, the International Rubber Study Group (IRSG) also met the conditions stated in **Annex 1 (Paragraph 1B) of the Statute of the Administrative Tribunal of the International Labour Organization (ILO)** which are highlighted below:

- (a) IRSG is clearly international in character, having regard to its membership, structure and scope of activity;*
- (b) IRSG is not required to apply any national law in its relations with its officials. IRSG enjoys immunity from legal process as evidenced by a headquarters agreement with the host country; and*
- (c) IRSG is endowed with functions of a permanent nature at the international level and offer, according to the Governing Body, which sufficient guarantees as to its institutional capacity to carry out such functions as well as guarantees of compliance with the Tribunal's Judgments.*

Your Excellency, the recognition of the Jurisdiction of the International Labour Organisation (ILO) Administrative Tribunal by the International Rubber Study Group (IRSG) (Singapore) to hear complaints alleging non-observance, in substance or in form, of the terms of appointment of officials and of provisions of the staff rules and regulations, is paramount to the International Rubber Study Group (IRSG) in order to promote social justice, enhance human and labour rights, to achieve universal and lasting peace.

Dear Director General, Please, find attached the following documents to support our declaration for the recognition of the Jurisdiction of the International Labour Organisation (ILO) Administrative Tribunal:

- (1) **Doc #1** – IRSG Headquarters Agreement in United Kingdom on 14 February 1978
- (2) **Doc #2** - IRSG Headquarters Agreement in Singapore on 02 March 2009
- (3) **Doc #3** – Introduction of IRSG by the Host Country (Singapore)
- (4) **Doc #4** – Introduction of the IRSG Secretary-General
- (5) **Doc #5** – IRSG Constitution
- (6) **Doc #6** – IRSG Rule of Procedure
- (7) **Doc #7** – IRSG Staff Rules and Regulations

Your Excellency, your kind consideration of our declaration will be highly appreciated. Further clarifications concerning can be sent to the following contact email (s) and mobile number: (joseph.adelegan@rubberstudy.org; dr.joseph.adelegan@gmail.com; +6596662403).

I look forward to hearing from you. Kindly accept, Your Excellency, the highest assurances of my distinguished regards.

Most respectfully,




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