



Governing Body

358th Session, Geneva, 9–19 November 2026

Programme, Financial and Administrative Section

PFA

Personnel Segment

Date: 8 October 2026

Original: English

Tenth item on the agenda

Matters relating to the Administrative Tribunal of the ILO: Administrative arrangement to improve case management

Purpose of the document

This document proposes the extension, for a further five-year period, of the administrative arrangement approved by the Governing Body at its 343rd Session (November 2021) to improve the case management of the Administrative Tribunal of the ILO (see the draft decision in paragraph 12).

Relevant strategic objective: None.

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

Policy implications: None.

Legal implications: None.

Financial implications: If approved, the extension of the arrangement would continue to be financed through the Tribunal's annual overhead costs, apportioned among all organizations having recognized the Tribunal's jurisdiction.

Follow-up action required: Subject to the Governing Body's approval, the Tribunal will continue the administrative arrangement for a further period of five years from 1 January 2027.

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

Related documents: [GB.343/PFA/15/1](#) and [GB.343/PV](#).

1. Under Article IX(1) of the Statute of the Administrative Tribunal of the International Labour Organization, the Office is responsible for making “the administrative arrangements necessary for the operation of the Tribunal ... in consultation with the Tribunal”.
2. In 2021, at the request of and in close consultation with the Tribunal, the Office developed a proposed arrangement under which one of the Tribunal’s seven judges, preferably the President or Vice-President, would be available between sessions “so as to expedite case management thus rendering the overall functioning of the Tribunal more efficient and ensuring timely judgment delivery”.¹ The organizations having recognized the Tribunal’s jurisdiction were consulted prior to the submission of the proposed arrangement to the Governing Body.
3. The proposed arrangement was part of the Tribunal’s ongoing efforts to improve its working methods and was considered in the context of its increased workload, a growing number of procedural requests and a persistent backlog affecting the timeliness of judgment delivery. The intention was for one judge to be available between sessions to perform case management functions, including dealing with requests for further written submissions, production of documents and extensions of time limits, ordering measures of investigation, making provisional orders and recording withdrawals of complaints. The judge concerned was to devote 50 per cent of their time to case management tasks. In line with the practice of the United Nations Dispute Tribunal and the United Nations Appeals Tribunal, the corresponding remuneration was set at 50 per cent of the D2 level and financed through the Tribunal’s overhead costs.²
4. At its 343rd Session (November 2021), the Governing Body approved the introduction of this administrative arrangement and the related financial arrangement for a five-year trial period from 1 January 2022 to 31 December 2026.³ Since the arrangement entered into effect on 1 January 2022, these functions have been performed by the Vice-President of the Tribunal, referred to in practice as the “resident judge”.
5. In view of the imminent end of the trial period, the Tribunal has informed the Office that the resident judge arrangement has proven to be of substantial operational value. The arrangement has been particularly valuable in improving case management, including ensuring the timely handling of procedural requests arising between sessions, and strengthening the Tribunal’s capacity to adapt its working methods and respond efficiently to evolving procedural requirements. For cases considered at the Tribunal’s 142nd Session (April–May 2026) alone, the resident judge rendered 334 procedural and case management decisions. The Tribunal has also pointed to a greater use of the summary procedure⁴ following the introduction of the arrangement, with cases dealt with under the procedure accounting for 8.3 per cent of its judgments, compared with 6.9 per cent in the preceding period. While this increase cannot be attributed exclusively to the resident judge arrangement, the identification

¹ GB.343/PFA/15/1, para. 2.

² The remainder of the remuneration consisted of fees for participation in the Tribunal’s deliberations. The current flat-rate fee for judges was established by the Governing Body in 2005 (GB.294/PFA/18/2).

³ GB.343/PFA/15/1 and GB.343/PV, para. 728.

⁴ Under Article 7 of the [Tribunal’s Rules](#), the summary procedure may be applied where the President considers a complaint or an application for review, interpretation or execution to be clearly outside the Tribunal’s competence, clearly irreceivable or clearly devoid of merit, or frivolous or vexatious or giving rise to an abuse of process.

and assessment of cases potentially suitable for the summary procedure are among the functions facilitated by the availability of a judge between sessions.

6. As at 1 January 2026, 61 international organizations had recognized the Tribunal's jurisdiction. The Tribunal remains engaged in sustained efforts to reduce its existing backlog and is preparing for a likely increase in cases filed before it in the coming years, given the current circumstances affecting international organizations. The Tribunal has indicated that the resident judge arrangement forms part of a broader set of procedural and organizational measures to manage fluctuations in workload, including tailored procedures for mass complaints, systematic grouping of cases by subject matter, strengthened use of summary adjudication where issues are governed by settled case law, and streamlined approaches to judgment preparation and drafting. Within this broader framework, the resident judge provides dedicated judicial case management capacity between sessions, helping to address the additional procedural and interlocutory matters generated by an increase in complaints and to maintain the orderly progression of cases. While noting that previous caseload increases due to restructuring and downsizing exercises in international organizations have generally been temporary, and that its established case law in these areas facilitates efficient adjudication, the Tribunal has cautioned that the existing measures do not provide unlimited capacity to absorb additional cases. The scale and duration of any future increase cannot be predicted with certainty.
7. In this context, the Tribunal considers that the continued availability of a judge between sessions remains desirable and has recommended that the arrangement be extended for a further five years, from 1 January 2027 to 31 December 2031. At the same time, the Tribunal considers that it is important to preserve sufficient flexibility to adapt its working methods to future operational needs, notably having regard to the composition of the Tribunal, developments in technology and the evolution of the Tribunal's procedures. The Tribunal has thus recommended that the five-year extension should preserve sufficient flexibility to reconsider, in consultation with the Office, the continued suitability of the resident judge arrangement if circumstances indicate that a different model would better serve the efficient administration of justice.
8. The Office consulted the organizations that have recognized the jurisdiction of the Tribunal on the possible continuation of the arrangement beyond 31 December 2026. The consultation invited views on the operational, legal, institutional and financial aspects of the arrangement and on its continuation on the same basis or with adjustments. Of the 35 organizations that responded, 28 supported the continuation of the arrangement and five indicated that they had no objection to its continuation. Two organizations had no comments or views. No organization opposed the continuation.
9. In light of the Tribunal's recommendation and the views shared by organizations having recognized its jurisdiction, it appears that the effective operation of the Tribunal would be served by continuing the administrative arrangement for a further five-year period, from 1 January 2027 to 31 December 2031, on the existing basis.
10. The extension of the arrangement would continue to be included in the annual overhead costs of the Tribunal, which are apportioned among the organizations having recognized its jurisdiction according to the number of their staff.⁵ In 2021, the annual cost of the

⁵ The financing arrangements were established by the Governing Body at its 274th Session (March 1999) (see [GB.274/PFA/14/1](#)) and subsequently revised at its 309th Session (November 2010) (see [GB.309/PFA/15](#)), when a minimum annual contribution of US\$1,000 was established.

arrangement was estimated at US\$159,000, corresponding to 50 per cent of the D2 standard staff cost applicable at the time, serving as an indicative annual cost of the extension.⁶ Continuation on this basis would not introduce any new category of financial implications beyond those approved in 2021.

11. As recommended by the Tribunal, the five-year extension could preserve sufficient flexibility for the arrangement to be reviewed during that period, in consultation with the Tribunal, should circumstances indicate that a different model would better serve the efficient administration of justice.

► Draft decision

12. **The Governing Body approved the continuation of the administrative arrangement outlined in document GB.358/PFA/10 for the period from 1 January 2027 to 31 December 2031, with the possibility of reviewing the administrative arrangement during that period, in consultation with the Tribunal, should the circumstances so require.**

⁶ Based on the contribution rates applicable at the time, the US\$159,000 estimate represented an increase in annual overhead costs of approximately US\$7,059 for the ILO (4.44 per cent), US\$30,846 for the International Organization for Migration (IOM) (19.4 per cent), US\$28,461 for the Food and Agriculture Organization of the United Nations (FAO) and the World Food Programme (WFP) (17.9 per cent), US\$18,444 for the World Health Organization (WHO) and the Joint United Nations Programme on HIV/AIDS (UNAIDS) (11.6 per cent), and US\$4,881 for the United Nations Educational, Scientific and Cultural Organization (UNESCO) (3.07 per cent). There was no increase for organizations paying the minimum contribution of US\$1,000.