

International Labour Conference, 101st Session, 2012

Report II

Information concerning the programme and budget and other questions

**Second item on the agenda: Programme and budget
and other questions**

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Preface

1. This report comprises, in addition to material submitted for information, a number of items requiring action by the Conference. Any other items which may arise after the publication of this report and which also call for action by the Conference will be submitted to the participants through the *Provisional Record*.
2. The items requiring action are:
 - (a) Financial report and audited consolidated financial statements for the year ended 31 December 2011, which is published in a separate document available to Conference participants;
 - (b) Scale of assessments of contributions to the budget for 2013; and
 - (c) Composition of the Administrative Tribunal of the International Labour Organization.
3. Details of these items are set out in the following pages of this report.
4. Information concerning programme implementation in 2010–11 is contained in the Report of the Director-General, under item I(a) of the Conference agenda.

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Financial and administrative questions

I. Financial report and audited consolidated financial statements for the year ended 31 December 2011

1. In accordance with articles 28 and 29 of the Financial Regulations, the International Labour Conference will be called upon to adopt the audited consolidated financial statements for 2011 after their examination by the Governing Body. The statements cover the regular budget, the Working Capital Fund, extra-budgetary accounts administered by the Organization, and all other special funds and accounts.

2. The Director-General's financial report and the statements for 2011, together with the Auditor's report, will be communicated to Members as a separate document. The Governing Body's recommendation as to the adoption of the audited statements will also be communicated to the Conference in a separate document which will be presented to the Finance Committee of Government Representatives.

II. Scale of assessments of contributions to the budget for 2013

1. At its 313th Session (March 2012), the Governing Body decided, on the recommendation of the Government members of the Governing Body, to propose to the Conference at its 101st Session (June 2012) that it adopt the draft scale of assessments for 2013 as set out in the appendix to the report of the Government members of the Committee on Allocation Matters.¹
2. It will be for the Finance Committee of Government Representatives to consider the proposals put forward by the Governing Body concerning the draft scale of assessments for 2013 and to make appropriate proposals to the Conference.

¹ GB.313/PFA/3/1, reproduced as Appendix I to this report.

III. Composition of the Administrative Tribunal of the International Labour Organization

1. At its 313th Session (March 2012), the Governing Body (see Appendices II and III to this report) decided:

- (a) to recommend to the International Labour Conference at its 101st Session (June 2012) that it express its deep appreciation to Ms Gaudron for the valuable services she has rendered as judge and as President of the Tribunal and express regret at the resignation of Ms d'Auvergne;
- (b) to propose to the Conference the renewal of the terms of office of Mr Ba (Senegal), Mr Barbagallo (Italy) and Ms Hansen (Canada) for three years each, and the appointment of Hon. Michael Francis Moore (Australia) for a term of office of three years;
- (c) to delegate to its Officers, on a one-time basis, the authority to propose directly to the Conference the appointment of a further candidate from the Latin America and the Caribbean region following consultation with the Director-General before June 2012; and
- (d) to propose to the Conference that it adopt a resolution in the following terms:

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 Ms Gaudron for the valuable services she has rendered as judge and as President of the Tribunal and express regret at the resignation of Ms d'Auvergne;
 - (b) to renew the appointments of Mr Ba (Senegal), Mr Barbagallo (Italy) and Ms Hansen (Canada) for a term of three years; and
 - (c) to appoint Hon. Michael Francis Moore (Australia) for a term of three years.
2. It will be for the Finance Committee of Government Representatives to consider the proposal put forward by the Governing Body and to make appropriate proposals to the Conference.

Appendix I

**Other financial questions –
Scale of assessment of contributions
to the budget for 2013
(GB.313/PFA/3/1)**



Governing Body

313th Session, Geneva, 15–30 March 2012

GB.313/PFA/3/1

Programme, Financial and Administrative Section
Programme, Financial and Administrative Segment

PFA

Date: 23 March 2012

Original: English

THIRD ITEM ON THE AGENDA

Other financial questions

Scale of assessment of contributions to the budget for 2013

Purpose of the document

This paper transmits the report of the Government members of the Governing Body on allocations matters for decision (see point for decision in paragraph 3).

Relevant strategic objective: Not applicable.

Policy implications: None.

Legal implications: None.

Financial implications: Sets the scale of assessment of contributions for member States for 2013.

Follow-up action required: None.

Author unit: Office of the Treasurer and Financial Comptroller.

Related documents: GB.313/PFA/GMA/1.

1. The Government members of the Governing Body met on 23 March 2012. The meeting was chaired by Ambassador Abdelrahman Dhirar, Chairperson of the Government group of the Governing Body, who also acted as Reporter.
2. The Government members considered a paper ¹ proposing a scale of assessments for ILO member States for 2013.

Draft decision

3. *The Governing Body decides, in accordance with the established practice of harmonizing the rates of assessment of ILO member States with their rates of assessment in the United Nations, to base the ILO scale of assessment for 2013 on the UN scale for 2012, and it accordingly proposes to the Conference the adoption of the draft scale of assessment for 2013 as set out in the appendix to this paper, subject to such adjustments as might be necessary following any further change in the membership of the Organization before the Conference is called upon to adopt the recommended scale.*

¹ GB.313/PFA/GMA/1.

Appendix

Scale of assessments

State		Draft scale of ILO assessments 2013 (%)
1	Afghanistan	0.004
2	Albania	0.010
3	Algeria	0.128
4	Angola	0.010
5	Antigua and Barbuda	0.002
6	Argentina	0.287
7	Armenia	0.005
8	Australia	1.934
9	Austria	0.852
10	Azerbaijan	0.015
11	Bahamas	0.018
12	Bahrain	0.039
13	Bangladesh	0.010
14	Barbados	0.008
15	Belarus	0.042
16	Belgium	1.076
17	Belize	0.001
18	Benin	0.003
19	Bolivia, Plurinational State of	0.007
20	Bosnia and Herzegovina	0.014
21	Botswana	0.018
22	Brazil	1.612
23	Brunei Darussalam	0.028
24	Bulgaria	0.038
25	Burkina Faso	0.003
26	Burundi	0.001
27	Cambodia	0.003
28	Cameroon	0.011
29	Canada	3.208
30	Cape Verde	0.001
31	Central African Republic	0.001
32	Chad	0.002
33	Chile	0.236
34	China	3.190
35	Colombia	0.144
36	Comoros	0.001
37	Congo	0.003
38	Costa Rica	0.034

State		Draft scale of ILO assessments 2013 (%)
39	Côte d'Ivoire	0.010
40	Croatia	0.097
41	Cuba	0.071
42	Cyprus	0.046
43	Czech Republic	0.349
44	Democratic Republic of the Congo	0.003
45	Denmark	0.736
46	Djibouti	0.001
47	Dominica	0.001
48	Dominican Republic	0.042
49	Ecuador	0.040
50	Egypt	0.094
51	El Salvador	0.019
52	Equatorial Guinea	0.008
53	Eritrea	0.001
54	Estonia	0.040
55	Ethiopia	0.008
56	Fiji	0.004
57	Finland	0.566
58	France	6.126
59	Gabon	0.014
60	Gambia	0.001
61	Georgia	0.006
62	Germany	8.021
63	Ghana	0.006
64	Greece	0.691
65	Grenada	0.001
66	Guatemala	0.028
67	Guinea	0.002
68	Guinea-Bissau	0.001
69	Guyana	0.001
70	Haiti	0.003
71	Honduras	0.008
72	Hungary	0.291
73	Iceland	0.042
74	India	0.534
75	Indonesia	0.238
76	Iran, Islamic Republic of	0.233
77	Iraq	0.020
78	Ireland	0.498
79	Israel	0.384
80	Italy	5.001

State		Draft scale of ILO assessments 2013 (%)
81	Jamaica	0.014
82	Japan	12.535
83	Jordan	0.014
84	Kazakhstan	0.076
85	Kenya	0.012
86	Kiribati	0.001
87	Korea, Republic of	2.261
88	Kuwait	0.263
89	Kyrgyzstan	0.001
90	Lao People's Democratic Republic	0.001
91	Latvia	0.038
92	Lebanon	0.033
93	Lesotho	0.001
94	Liberia	0.001
95	Libya	0.129
96	Lithuania	0.065
97	Luxembourg	0.090
98	Madagascar	0.003
99	Malawi	0.001
100	Malaysia	0.253
101	Maldives, Republic of	0.001
102	Mali	0.003
103	Malta	0.017
104	Marshall Islands	0.001
105	Mauritania	0.001
106	Mauritius	0.011
107	Mexico	2.357
108	Moldova, Republic of	0.002
109	Mongolia	0.002
110	Montenegro	0.004
111	Morocco	0.058
112	Mozambique	0.003
113	Myanmar	0.006
114	Namibia	0.008
115	Nepal	0.006
116	Netherlands	1.856
117	New Zealand	0.273
118	Nicaragua	0.003
119	Niger	0.002
120	Nigeria	0.078
121	Norway	0.872
122	Oman	0.086

State		Draft scale of ILO assessments 2013 (%)
123	Pakistan	0.082
124	Panama	0.022
125	Papua New Guinea	0.002
126	Paraguay	0.007
127	Peru	0.090
128	Philippines	0.090
129	Poland	0.828
130	Portugal	0.511
131	Qatar	0.135
132	Romania	0.177
133	Russian Federation	1.603
134	Rwanda	0.001
135	Saint Kitts and Nevis	0.001
136	Saint Lucia	0.001
137	Saint Vincent and the Grenadines	0.001
138	Samoa	0.001
139	San Marino	0.003
140	Sao Tome and Principe	0.001
141	Saudi Arabia	0.831
142	Senegal	0.006
143	Serbia	0.037
144	Seychelles	0.002
145	Sierra Leone	0.001
146	Singapore	0.335
147	Slovakia	0.142
148	Slovenia	0.103
149	Solomon Islands	0.001
150	Somalia	0.001
151	South Africa	0.385
152	Spain	3.178
153	Sri Lanka	0.019
154	Sudan	0.010
155	Suriname	0.003
156	Swaziland	0.003
157	Sweden	1.065
158	Switzerland	1.131
159	Syrian Arab Republic	0.025
160	Tajikistan	0.002
161	Tanzania, United Republic of	0.008
162	Thailand	0.209
163	The former Yugoslav Republic of Macedonia	0.007
164	Timor-Leste	0.001

State		Draft scale of ILO assessments 2013 (%)
165	Togo	0.001
166	Trinidad and Tobago	0.044
167	Tunisia	0.030
168	Turkey	0.617
169	Turkmenistan	0.026
170	Tuvalu	0.001
171	Uganda	0.006
172	Ukraine	0.087
173	United Arab Emirates	0.391
174	United Kingdom	6.607
175	United States	22.000
176	Uruguay	0.027
177	Uzbekistan	0.010
178	Vanuatu	0.001
179	Venezuela, Bolivarian Republic of	0.314
180	Viet Nam	0.033
181	Yemen	0.010
182	Zambia	0.004
183	Zimbabwe	0.003
TOTAL		100.000

Appendix II

**Matters relating to the Administrative
Tribunal of the ILO –
Composition of the Tribunal
(GB.313/PFA/9)**



Governing Body

313th Session, Geneva, 15–30 March 2012

GB.313/PFA/9

Programme, Financial and Administrative Section
Personnel Segment

PFA

Date: 23 March 2012

Original: English

NINTH 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 and appointment of judges of the Administrative Tribunal of the ILO. See the point for decision in paragraph 7.

Policy implications: None.

Legal implications: Proposed submission of a draft resolution to the Conference for renewal of the term of office of three judges and for the appointment of two judges (one from the Asia and the Pacific region and the other one from Latin America and the Caribbean).

Financial implications: None.

Follow-up action required: Point for decision, paragraph 7.

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

Related documents: None.

I. Introduction

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. 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 2014;
 - Mr Seydou Ba (Senegal), Vice-President: term of office expires in July 2012;
 - Ms Suzy d’Auvergne (Saint Lucia): term of office expires in July 2014;
 - 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.

II. Elements of the proposal

2. The terms of office of Mr Ba, Mr Barbagallo and Ms Hansen are due to expire in July 2012. They have all expressed their willingness and availability to accept a new three-year term. In addition, Ms Gaudron, whose term of office was due to expire in July 2014, has communicated her resignation due to ill health. Ms d’Auvergne has also communicated her resignation due to ill health. There are therefore two vacancies to be filled, one from the Asia and the Pacific region and the other from the Americas region.
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. Excellent knowledge of at least one of the two working languages of the Tribunal (English and French) and at least passive knowledge of the other are necessary for the effective functioning of the Tribunal. An overall balance at the linguistic and geographical level must also be ensured.
4. The Director-General then recommends to the Governing Body, in its Programme, Financial and Administrative Section, the names of persons that the Conference will be invited to nominate as judges in order to fill the vacant posts in the Tribunal.
5. As regards the vacancy for the Asia and the Pacific region, the Director-General, after consultation with the Officers of the Governing Body, wishes to propose the following appointment for a period of three years:
 - Hon. Michael Francis Moore (Australia)

Born in 1951, Judge of Court of Appeal of Kingdom of Tonga and formerly Judge (retired 2011) of the Federal Court of Australia (1994–2011) and Industrial Relations

Court of Australia (1994–2011), and additional Judge, Supreme Court of the Australian Capital Territory (1994–2011). Bachelor of Laws, the Australian National University (1974). Admitted to practice as a Solicitor in the Supreme Court of New South Wales (1975) and as a Barrister in the Supreme Court of New South Wales and High Court of Australia (1976). Practised as a Barrister (1976–89). Appointed in 2011 to a three-member expert panel to review the national Fair Work Act 2009; and formerly to the Australian Industrial Relations Commission (Deputy President, 1989, Vice-President, 1991, and Acting President 1994). Participated in activities involving development of judiciaries in the Asian region and particularly in South-East Asia. Linguistic skills: English (mother tongue) and French (read).

6. As regards the vacancy for the region of the Americas, that was announced recently, the Office has so far been unable to identify a suitable candidate. It would request that the Officers be authorized by the Governing Body, on a one-time basis, to submit the further name of an appropriate candidate to the Conference.

III. Draft decision

7. *The Governing Body:*

- (a) *recommends to the Conference that it convey its deep appreciation to Ms Gaudron for the valuable services she has rendered as judge and as President of the Tribunal and express regret at the resignation of Ms d'Auvergne;*
- (b) *propose to the Conference:*
 - (i) *the renewal of the terms of office of Mr Ba (Senegal), Mr Barbagallo (Italy) and Ms Hansen (Canada) for three years each;*
 - (ii) *the appointment of Hon. Michael Francis Moore (Australia) for a term of office of three years;*
- (c) *delegate to its Officers, on a one-time basis, the authority to propose directly to the Conference the appointment of a further candidate from the Latin America and the Caribbean region following consultation with the Director-General before June 2012; and*
- (d) *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 Ms Gaudron for the valuable services she has rendered as judge and as President of the Tribunal and express regret at the resignation of Ms d'Auvergne;
- (b) to renew the appointments of Mr Ba (Senegal), Mr Barbagallo (Italy) and Ms Hansen (Canada) for a term of three years; and
- (c) to appoint Hon. Michael Francis Moore (Australia) for a term of three years.

Appendix III

**Extract – Draft minutes of the Programme, Financial
and Administrative Section (GB.313/PFA/PV/Draft)**



Governing Body

313th Session, Geneva, 15–30 March 2012

GB.313/PFA/PV/Draft

Programme, Financial and Administrative Section

PFA

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DRAFT MINUTES

Programme, Financial and Administrative Section

...

Ninth item on the agenda

Matters relating to the Administrative Tribunal of the ILO

Composition of the Tribunal (GB.313/PFA/9)

143. The Employer and Worker spokespersons supported the draft decision.

Decision

144. *The Governing Body:*

- (a) recommended to the International Labour Conference that it convey its deep appreciation to Ms Gaudron for the valuable services she has rendered as judge and as President of the Tribunal and express regret at the resignation of Ms d’Auvergne;*
- (b) decided to propose to the Conference:*
 - (i) the renewal of the terms of office of Mr Ba (Senegal), Mr Barbagallo (Italy) and Ms Hansen (Canada) for three years each;*
 - (ii) the appointment of Hon. Michael Francis Moore (Australia) for a term of office of three years;*
- (c) delegated to its Officers, on a one-time basis, the authority to propose directly to the Conference the appointment of a further candidate from the*

Latin America and the Caribbean region following consultation with the Director-General before June 2012; and

(d) thus decided 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 Ms Gaudron for the valuable services she has rendered as judge and as President of the Tribunal and express regret at the resignation of Ms d'Auvergne;
- (b) to renew the appointments of Mr Ba (Senegal), Mr Barbagallo (Italy) and Ms Hansen (Canada) for a term of three years; and
- (c) to appoint Hon. Michael Francis Moore (Australia) for a term of three years.

(GB.313/PFA/9, paragraph 7.)