

ANNUAL GENERAL MEETING
SECOND SESSION

30 October 2008

RESOLUTION

concerning the position of Legal Adviser to the ILO Staff Union

The Staff Union of the ILO, convened in its Annual General Meeting (second session) on 30th October 2008,

RECALLING the decision of the Annual General Meeting of October 28, 2004 (Document SU/AGM/2004/2/D.5) to create a post of Legal Adviser to the ILO Staff Union, and to finance this position;

RECALLING the numerous steps taken by the Staff Union Committee before the representatives of the Administration to implement the decision of the General Meeting concerning the establishment of a regular contract for the Staff Union Legal Adviser;

NOTING that these efforts have failed thus far, owing to the persistent refusal of the Administration to negotiate in good faith;

RECALLING the recurrence since then of this question in all the Annual General Meetings of the Staff Union, and also in all the speeches of the Chairperson of the Staff Union Committee before the Programme, Financial and Administrative Committee of the ILO Governing Body;

RECALLING that freedom of association is a basic right enshrined in many international instruments (and in particular the ILO Constitution, Convention No. 87 of 1948 on Freedom of Association and Protection of the Right to Organize, and Convention No. 151 of 1978 on Labour Relations in the Public Service), recognized by the Staff Regulations and protected by the ILO Administrative Tribunal;

STRESSING the undeniable usefulness of the permanent presence of a lawyer to advise the members of the Staff Union Committee and to assist staff members, both in headquarters and in the field, with the various legal and dispute resolution procedures;

NOTING in this respect that, for over five years, thanks to the assistance provided by the Staff Union Legal Adviser, a considerable number of disputes between staff members and the Administration have been settled, and a number of important decisions have been issued by the ILO Administrative Tribunal;

CONSIDERING that the position adopted by the Administration has impeded the Staff Union Committee from organizing its own activities, thus violating freedom of association within the ILO;

CONSIDERING that the long-standing uncertainty as regards the employment status of the Staff Union Legal Adviser, due to the ILO Administration, has exceeded the limits of tolerability;

REQUESTS the Staff Union Committee to mobilize the staff on this question, to take any action which it deems necessary, in accordance with the principles of the freedom of association, in order to lead the Administration to waive its veto on the recruitment of the Legal Adviser of its choosing, and to report on this subject at the next session of the Annual General Meeting.

REQUESTS as a first step that the Staff Union Committee organize, during the November 2008 session of the Governing Body, actions including poster and leaflet campaigns, petitions and demonstrations, in order to draw the attention of the members of the Governing Body to this unacceptable situation.
