



## Governing Body

329th Session, Geneva, 9–24 March 2017

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**Programme, Financial and Administrative Section**  
*Personnel Segment*

**PFA**

**Date:** 10 March 2017

**Original:** English

### ELEVENTH ITEM ON THE AGENDA

## Matters relating to the Administrative Tribunal of the ILO

### Composition of the Tribunal

#### Purpose of the document

This paper contains a proposal concerning the appointment of a new judge to the Administrative Tribunal of the ILO (see the draft decision in paragraph 6).

**Relevant strategic objective:** None.

**Policy implications:** None.

**Legal implications:** Proposed draft Conference resolution for the appointment of one new judge.

**Financial implications:** None.

**Follow-up action required:** None.

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

**Related documents:** None.



1. Pursuant to article III of its Statute, the Administrative Tribunal of the International Labour Organization consists of seven judges appointed for three-year terms by the International Labour Conference.
2. The present composition of the Tribunal is as follows:
  - Mr Claude Rouiller (Switzerland), President: term expires in July 2019;
  - Mr Giuseppe Barbagallo (Italy), Vice-President: term expires in July 2018;
  - Ms Fatoumata Diakité (Côte d’Ivoire): term expires in July 2018;
  - Mr Patrick Frydman (France): term expires in July 2019;
  - Ms Dolores Hansen (Canada): term expires in July 2018;
  - Mr Michael Moore (Australia): term expires in July 2018;
  - Sir Hugh Rawlins (Saint-Kitts and Nevis): term expires in July 2018.
3. One of the judges, and current President of the Tribunal, Mr Claude Rouiller (Switzerland), whose term of office had been renewed last year, communicated his resignation by letter dated 15 December 2016 and indicated that he will leave his functions on 30 July 2017. Judge Rouiller has served the Tribunal since 2004 and contributed during these many years to the important development of international civil service law.
4. The Governing Body may wish to propose to the Conference that it convey its deep appreciation to Mr Claude Rouiller for the valuable services he has rendered to the work of the Administrative Tribunal over the past 13 years as judge, Vice-President (2013–15) and President of the Tribunal (2015–17).
5. Following the departure of Mr Rouiller, the post of one judge will fall vacant. In keeping with long-standing practice whereby members of the Tribunal are appointed from among persons holding or who have held high judicial office, with account being taken of the need for an overall equilibrium at the linguistic level, and in terms of different systems of law, geographical representation and gender balance, the Director-General, after consultation with the Officers of the Governing Body, wishes to propose the following appointment for a period of three years:
  - Mr Yves Kreins (Belgium)

Born in 1952, Mr Kreins is the current First President of the Conseil d’Etat of Belgium, the country’s highest administrative court. He has been a member of that institution for 30 years and has extensive experience in administrative and civil service litigation. In addition, he has been a member of the governing body of an international association of high administrative tribunals and Secretary-General of the ACA-Europe, an association of supreme administrative tribunals of the European Union. A native German speaker, Mr Kreins masters several languages including French, Dutch and English. Mr Kreins will retire from the Conseil d’Etat in August 2017 and will therefore be available to replace Judge Rouiller immediately.

## Draft decision

### 6. *The Governing Body:*

- (a) recommends to the Conference that it convey its deep appreciation to Mr Claude Rouiller for the valuable services he has rendered to the work of the Administrative Tribunal of the International Labour Organization over the past 13 years as judge, Vice-President and President of the Tribunal;*
- (b) proposes to the Conference the appointment of Mr Yves Kreins (Belgium) for a term of office of three years;*
- (c) 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 Mr Claude Rouiller (Switzerland) for the valuable services he has rendered to the work of the Administrative Tribunal of the International Labour Organization over the past 13 years as judge, Vice-President and President of the Tribunal; and
- (b) to appoint Mr Yves Kreins (Belgium) for a term of three years.