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**Mr. Guy RIDER, Director General
International Labour Organization
4 Route des Morillons
1211 Geneve 22
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GENEVA, 17 NOVEMBER 2015

Concerne: ILOAT Reform

Dear Director-General Rider:

In August 2015, the ILO GB sent a questionnaire to all constituent international organization stakeholders subscribing to the jurisdiction of the ILOAT, concerning the ILOAT's workload. I coordinated the collective reply of my client, the Staff Union of the EPO (<http://www.suepo.org/public/su15345cl.pdf>).

The ILO Governing Body has now issued a background paper entitled "Matters Related to the Administrative Tribunal of the ILO", dated 15 October 2015 (GB.325/PFA/9/1(Rev.)¹., and recommended at paragraph 33. (b) to "...consider with the Tribunal, and in consultation with member organizations and their staff representatives, concrete proposals for possible improvements [to the ILOAT] and to keep the Governing Body informed of any progress achieved in this regard".

Not only the ILOAT but also all constituent organisations have a great interest in ensuring that the Tribunal can work efficiently and meet the highest standards of justice. Of course, staff associations and unions share this interest and would like nothing better than to be able to support the process.

¹ http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_415189.pdf

My client is well aware of the size of the challenges ahead. Workload and efficiency are only the start. The defence of fundamental rights, which is difficult given the real or perceived limits of the ILOAT jurisdiction and remit, is another. Further issues of interest concern the consistency of the jurisprudence, due process, and judicial appointments.

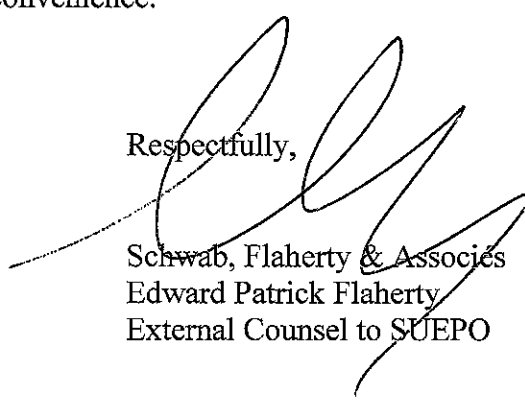
Proposals for reform do not succeed unless the time is ripe, as amply shown by the shelving of the proposals for changes made in 2002 by the ILO's own staff union². The above-referenced guidance paper, with its exhortation to engage with the ILOAT constituent organisations and their staff members (through their duly elected staff representatives) on the workings of the ILOAT, seems to suggest that, at long last, the time is indeed ripe for such reform.

There is now a perfect opportunity for the ILO and international civil servants, who depend on the ILOAT alone (as a result of the immunity of their employer organisations from national laws) to work constructively together to help the ILOAT meet the challenges ahead, and adapt to new situations while living up to the noble ideals which led to its rebirth from the ashes of the League of Nations in 1945.

Accordingly, my client wishes respectfully to advise you that it is ready and willing to participate in this process from the outset.

We look forward to hearing from you soon, and urge you to seize this moment to engage in real and meaningful dialogue with the staff representatives of all organisations that subscribe to the jurisdiction of the ILOAT at your earliest convenience.

Respectfully,



Schwab, Flaherty & Associates
Edward Patrick Flaherty
External Counsel to SUEPO

CC: Client

² <http://www.ilo.org/public/english/staffun/info/iloat/index.htm>