

GB March 2021
PFA Employers' written comments

- [PFA/15/1](#) **Proposed amendments to the Statute of the ILO Administrative Tribunal**

Regarding the procedure according to which an international organization that has recognized the jurisdiction of the Tribunal may revoke its declaration of acceptance: The proposed amendments are aligned with the main Employers' group views expressed in earlier GB sessions where note was made that the withdrawal procedure should be well-defined and flexible so that it does not become a barrier to joining. Providing reasons for withdrawal should not be obligatory but part of an understanding to share experience and undertake good governance in a spirit of transparency.

With respect to the term of office of judges and the geographical distribution and gender balance in the composition of the Tribunal: The Employers' Group previously stressed that the skills and professional experience should be the primary requirement. The proposed amendment in Article III first and foremost emphasizes the moral character of appointed judges as well as their qualifications. The amendment notes that "due regard shall be given" with respects to geographic distribution and gender balance, and hence does not undermine the criteria on ethics and qualifications.

In relation to the independent review of the functioning of the Tribunal, the Employers' Group has initially suggested to wait for the Tribunal's consultations rather than to undertake an independent review. In this respect, it seems reasonable to wait for the on-going UN common system review before initiating an independent review of the ILO AT.