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NINTH ITEM ON THE AGENDA

Matters relating to the Administrative Tribunal of the ILO

Workload and effectiveness of the Tribunal

Purpose of the document

This paper provides background information and analysis of the situation faced by the ILO Administrative Tribunal, particularly as regards its increasing workload, and outlines a series of possible measures for the consideration and guidance of the Governing Body (see draft decision in paragraph 33).

Relevant strategic objective: None.

Policy implications: No immediate policy implications.

Legal implications: Depending on the guidance and decisions of the Governing Body.

Financial implications: No immediate financial consequences.

Follow-up action required: Depending on the guidance and decisions of the Governing Body.

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

Related documents: GB.323/PFA/11/2; GB.323/PV; GB.271/LILS/1; GB.325/PFA/9/2.

Introduction

1. At its 323rd Session (March 2015), the Governing Body approved the recognition of the jurisdiction of the ILO Administrative Tribunal by two international organizations, bringing the number of international organizations currently covered by the Tribunal's jurisdiction to 59, including the ILO. While the Governing Body noted that the recognition of the Tribunal's jurisdiction by other organizations entailed no additional cost to the ILO, it also took note of the concerns regarding the potential effect of the Tribunal's expanding membership on its capacity to effectively manage its workload and requested the Office to prepare an information paper on the basis of which it could decide whether any further steps would be required.¹
2. Part I of this paper gives a factual overview, including through comparative statistical data, of the expanding jurisdiction of the Tribunal and analyses the current challenges in relation to its workload taking also into account the views of the Tribunal itself, the international organizations under its jurisdiction and the staff representatives of those organizations. Part II summarizes the main conclusions resulting from these consultations and overview and proposes possible means of action to address the difficulties identified.

Part I. The impact of the continued acceptance of the Tribunal's jurisdiction by international organizations on its workload

1. The evolution of the Tribunal's expanding membership

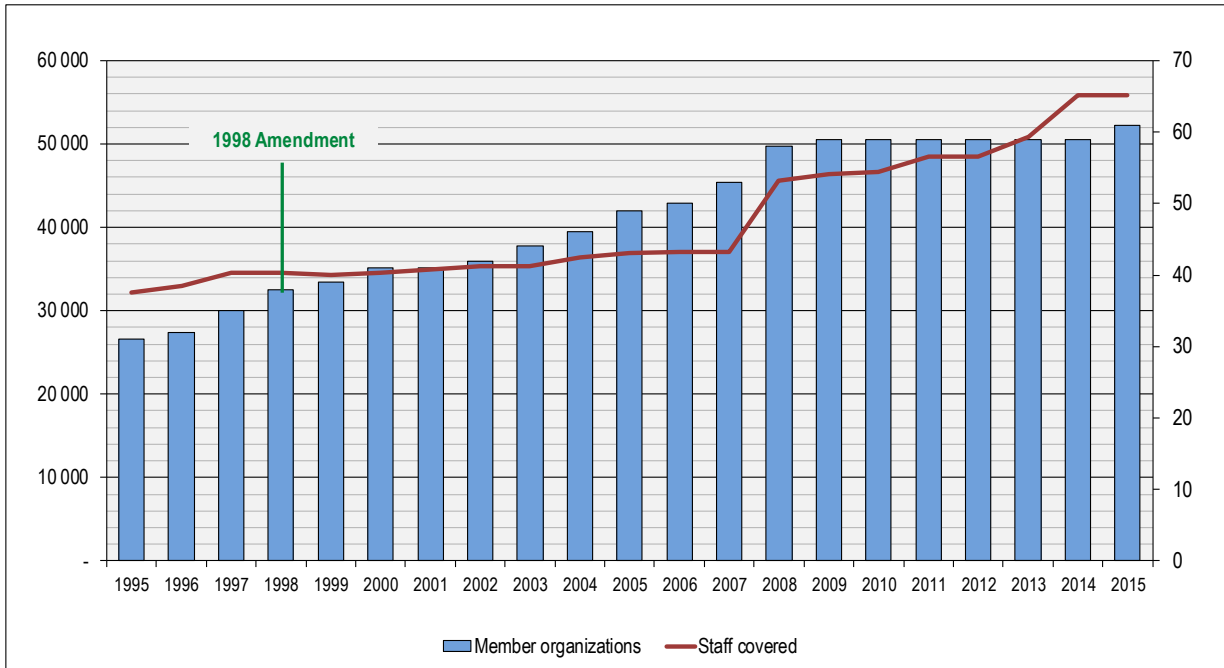
3. Because of the ILO's immunity from legal process before national courts, which is considered an essential guarantee of the Organization's international status and independence, ILO officials cannot bring labour disputes before national courts. Instead, provision has been made for adjudication by an independent Administrative Tribunal.
4. Originally established in 1927 as the Administrative Tribunal of the League of Nations, it was taken over by the ILO as its own Administrative Tribunal in 1946. Some years later, in 1949, the International Labour Conference agreed to amend the Tribunal's Statute in order to allow other intergovernmental organizations to join the Tribunal, as it was recognized that it would be in line with the Organization's mission to make an independent and reliable settlement procedure generally available to a special category of workers, namely international civil servants, who did not have legal protection at the national level. In the 50-year period following this amendment, 36 intergovernmental organizations, including 11 organizations of the United Nations common system and six European regional organizations, recognized the Tribunal's jurisdiction. The Tribunal's Statute was again amended in 1998 to offer the possibility, under certain conditions, to non-intergovernmental international organizations to become parties to the Tribunal's Statute.² Since 1998, a further 24 international organizations, both intergovernmental and non-governmental, have accepted the Tribunal's jurisdiction, which now covers

¹ GB.323/PFA/11/2, para. 23 and GB.323/PV, para. 545. Since the last session of the Governing Body, two more organizations have requested approval of their recognition of the jurisdiction of the Tribunal. See GB.325/PFA/9/2.

² GB.271/LILS/1.

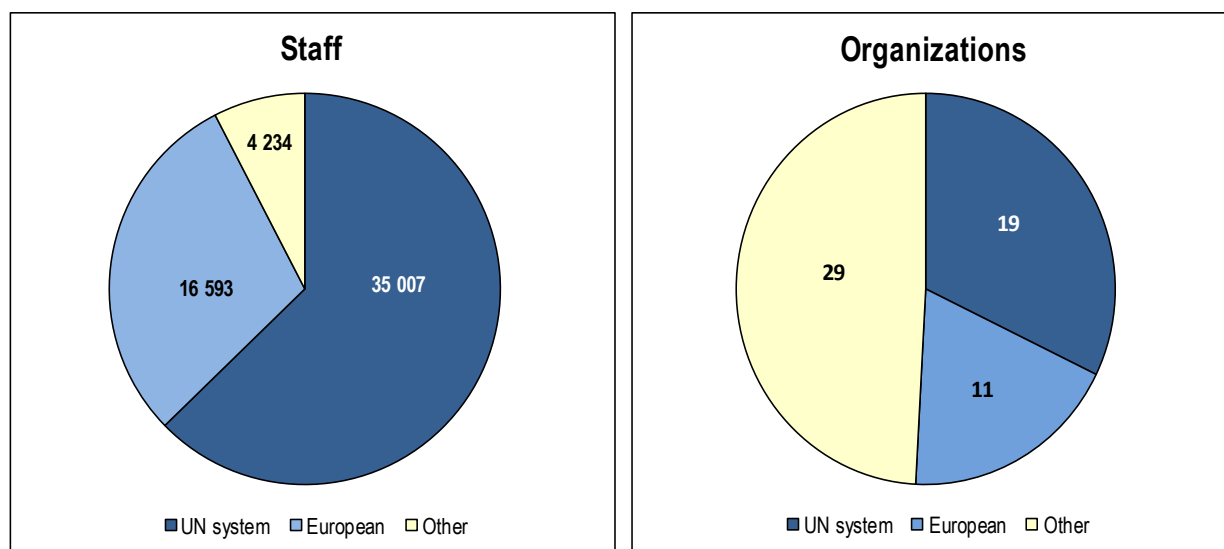
55,834 officials (see figure 1). The list of all organizations having accepted the Tribunal’s jurisdiction, including the year of acceptance, relevant Governing Body decision, number of staff and number of judgments generated, is provided in the appendix.³

Figure 1. Tribunal membership (1995–2015)



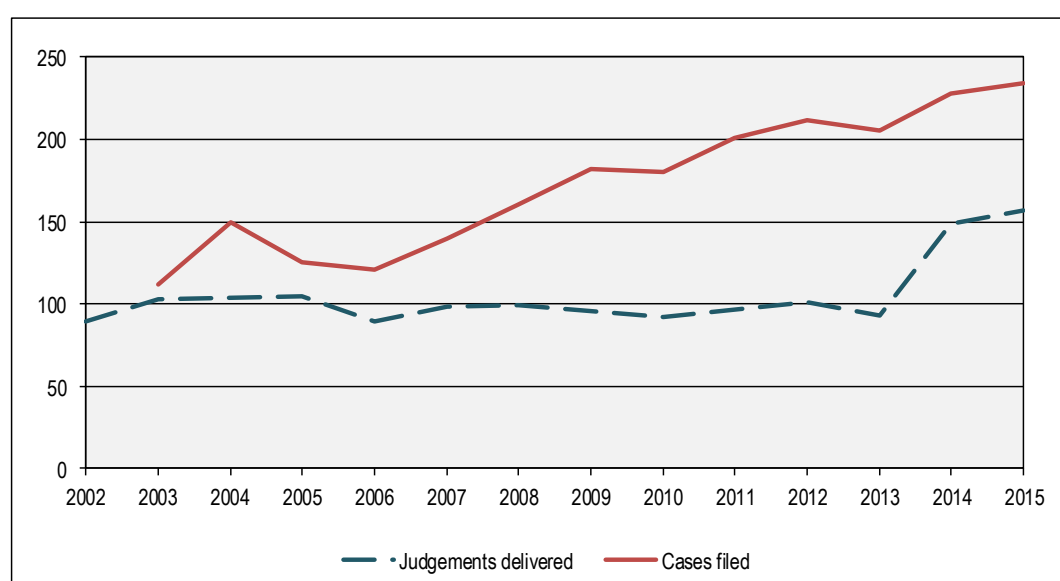
5. The organizations that have accepted the jurisdiction of the Tribunal since 1998 represent almost half of the total number of member organizations, but only 6.1 per cent of the total number of staff covered. Eleven out of these 24 organizations employ less than 20 staff whereas ten organizations employ between 20 and 100 staff and only six employ more than 100 staff. The biggest of these organizations is the International Criminal Court (ICC) with 858 staff members and the smallest is the European Telecommunications Satellite Organization (EUTELSTAT) with three staff members. The sharp increase since 2007 of over 18,700 additional staff covered by the ILO Tribunal is mainly due to increases in staff hired by older member organizations, as the aggregate staff of the 11 organizations having joined the Tribunal since 2007 is only 1,352.
6. The current membership of the Tribunal comprises 19 organizations applying the United Nations common system of salaries, allowances and other conditions of service (or 32 per cent of total) and 11 European regional organizations (or 19 per cent of total). However, taken together, these 30 organizations employ 51,600 officials, or 92 per cent of the total staff covered (see figure 2).

³ Among the organizations which have accepted the jurisdiction of the Tribunal, two have ceased their operation, namely the Intergovernmental Council of Copper Exporting Countries (CIPEC) and the International Service for National Agricultural Research (ISNAR).

Figure 2. Tribunal membership and staff coverage by type of organization

2. The Tribunal's caseload – Facts and figures

7. Over the years, the Tribunal has experienced a constant increase in its caseload. From 112 in 2002, the cases submitted to the Tribunal rose to 180 in 2009, 212 in 2012 and 234 in 2014. The same trend is reflected in the number of judgments delivered by the Tribunal; from approximately ten judgments rendered per year in the 1960s, the Tribunal went on to deliver about 25 judgments per year in the 1970s, 60 judgments per year in the 1980s, over 80 judgments per year in the 1990s and more than 100 judgments per year in the 2000s (see figure 3). It is indicative that in its two last sessions, for which the judgments were delivered in February and July 2015, the Tribunal rendered 77 and 90 judgments respectively, or a total of 167 judgments; the Tribunal also took note of the withdrawal of 19 complaints.

Figure 3. Cases filed and judgments delivered (2002–15)

8. As the average output of the Tribunal in the last ten–15 years did not increase proportionally to the number of new cases, this has inevitably led to an increase of pending

cases – from 348 in 2012 they stood at 450 in July 2015 – and also to an increase of the average processing time per complaint.

9. Faced with this situation, the Tribunal has had recourse in the last two years to several measures, including the holding of an extra third session in 2014, the introduction of a fast-track procedure in its Rules, and longer presence of judges during sessions. In parallel, the Tribunal's Registry has sought cost savings and administrative efficiencies. This set of measures permitted the Tribunal for the first time to deal in sessions held in 2015 with more cases than the number of cases received.

3. The European Patent Organization (EPO) – A case apart

10. The largest member organization, employing approximately 8,800 staff, accepted the Tribunal's jurisdiction in 1978. The EPO's membership has always been marked by significant level of litigation. EPO-related complaints have generated, on average, 21 judgments per year, the lowest number being ten judgments in 1998 and the highest being 69 judgments in 2015. In its 37 years of Tribunal membership, the EPO has been concerned by 761 judgments out of a total of 3,560 judgments delivered by the Tribunal since its creation. By way of comparison, the Tribunal's second oldest member organization – the World Health Organization – with similar staff numbers has been concerned by 447 judgments in 66 years of membership, that is an average of seven judgments per year (see the table below). In the last five years, whereas the EPO's staff represents less than 16 per cent of all officials covered by the Tribunal's jurisdiction, the number of cases filed annually against the EPO represented on average more than 30 per cent of all the cases received by the Tribunal, with peaks above 40 per cent of the overall annual Tribunal workload. This persisting pattern stretches the Tribunal's resources and inevitably impacts on the processing time of complaints, including those filed against all other international organizations that have recognized its jurisdiction.
11. Despite the written exchanges between the ILO Director-General and the President of the EPO on this matter, and the measures taken internally by the EPO in recent years with a view to improve its internal remedies and reduce litigation, no progress has been registered so far to contain the number of labour disputes which give rise to cases referred to the Tribunal. In this regard, it should be noted that out of the 193 cases filed with the Tribunal from 1 January to 18 September 2015, 112 (or 56 per cent) originated from EPO officials, while the remaining 81 complaints were filed by officials of 23 different international organizations. In addition, following important reforms introduced in the EPO in the past two years, the number of internal individual grievances has grown exponentially, a situation that may reasonably be expected to give rise to an even larger number of EPO-related complaints with the Tribunal in the very near future.

Number of Tribunal judgments: Top 12 organizations

Organization	Year of membership	Number of judgments	Average number of judgments per year	Number of staff (2014)
EPO	1978	761	21	8 820
WHO	1949	447	7	8 265
ILO	1946	329	5	2 983
FAO	1954	323	5	5 779
Eurocontrol	1964	234	5	1 957
UNESCO	1953	214	3	2 156

Organization	Year of membership	Number of judgments	Average number of judgments per year	Number of staff (2014)
ITU	1953	155	3	773
PAHO	1971	109	2	919
IAEA	1959	105	2	1 832
UNIDO	1986	105	4	666
CERN	1955	103	2	3 100
WIPO	1963	101	2	1 214

4. Causes of increased caseload – The views of stakeholders

12. In order to present a balanced overview of the underlying reasons for the increase in the Tribunal's caseload, the Office undertook broad consultations with the principal stakeholders, including the judges of the Tribunal as well as the administration and staff representatives of organizations having accepted the Tribunal's jurisdiction.

4.1. The Tribunal's assessment

13. According to the written reply provided by the Tribunal, the increase in the number of organizations is not a problem in itself as statistical data show that the organizations which recognized the Tribunal's competence in the last ten years did not significantly increase the Tribunal's workload.⁴ It is the number of complaints filed against a single organization, the EPO, rather than the rise in the overall number of organizations having accepted its jurisdiction, that represents the main challenge for its effective functioning. The Tribunal further considers that all its efforts are being compromised by the continuing increasing trend of EPO-generated cases and also indicates that the complexity of the problem may require the attention of the Governing Body.

14. The Tribunal has made it clear that it has reached its limits in terms of output and that it could not be expected to increase it any further without compromising the quality of its services. This is probably also connected with the fact that the judges do no work for the Tribunal on a full-time basis, but usually sit only twice a year for three to four weeks each time, and that some of them have extremely busy schedules as they are still serving in the supreme courts of their respective countries.

15. The Tribunal also drew attention to the fact that administrative tribunals of much narrower coverage – geographical or other – have gradually come into existence which raises legitimate questions as to whether it can still be considered to be the “natural judge” to hear complaints against organizations operating, for instance, within the administrative framework of the Council of Europe or the European Union. While there is nothing in the Tribunal's Statute to restrict admission on the basis of an organization's coverage, it should be remembered that the original intention was to open up the Tribunal's jurisdiction to truly global organizations which would be otherwise deprived from access to any international administrative jurisdiction.

⁴ According to these data, 15 organizations have recognized the competence of the Tribunal since 2005 and have generated 65 complaints out of a total of 1,863 complaints; among those organizations, six have not so far been the object of any complaint, four organizations have each generated one complaint, and one organization has been the object of two.

16. Finally, the great diversity of staff rules of organizations under the Tribunal's jurisdiction, the lack of internal means of redress in some organizations, the frequent challenges to normative acts of general application, especially by staff representatives, and the lack of employment stability of the Registry staff, were also identified as additional factors contributing to the Tribunal's increasing caseload.

4.2. *The views of member organizations*

17. Based on written replies provided by seven organizations and the views expressed by representatives of 29 organizations during a one-day consultation meeting, it is generally recognized that the admission of small international organizations in recent years is neither at the origin of the rising backlog of the Tribunal nor likely to impact on the Tribunal's caseload in any significant manner in the near future. However, the resulting diversity of legal frameworks governing employment relations of staff under the Tribunal's jurisdiction may occasionally generate delays.
18. Member organizations expressed serious concern about the volume of complaints against the EPO, and most importantly about the fact that problems around the "litigation culture" and social dialogue in that organization are not conjunctural but are most likely to persist unabated for many years. The general sense is that, based on available information, the current situation is not sustainable and that measures such as the increase of the number of judges or the number of sessions will not have a lasting effect on, much less resolve, the current flow of complaints filed by EPO officials. While noting the explanations of EPO administration officials about their genuine efforts to improve the situation, member organizations agreed that this was a governance problem of broader dimensions which called for urgent action in the interest of preserving the Tribunal's operation.
19. As regards the question of delays in judgment delivery and other perceived weaknesses in the functioning of the Tribunal, member organizations identified a number of areas where improvement was possible, while taking into account the rules and practices of other administrative tribunals such as those of the International Monetary Fund, the World Bank, the United Nations dispute and appellate tribunals and the European Union Civil Service Tribunal. They expressed support for better use of modern technological solutions and IT-based facilities such as an e-filing system. There was also general agreement that improving the quality and efficiency of internal appeal mechanisms was a priority and could help to reduce the number of Tribunal cases.
20. Member organizations gave favourable consideration to several concrete measures – most of which would not require an amendment of the Tribunal's Statute – including: (a) introducing the possibility for defendant organizations to submit a motion for summary dismissal of a complaint; (b) facilitating the use of joinder of cases; (c) formalizing the current practice whereby the Tribunal accepts applications for review of judgments on limited grounds; (d) allowing defendant organizations to apply for the payment of monetary compensation in lieu of rescinding the challenged decision; (e) organizing oral hearings when necessary; (f) deterring frivolous and vexatious complaints by imposing costs penalties; (g) identifying and promoting opportunities for amicable settlement at an early stage. Member organizations noted that some of these measures were already provided for by the existing Rules of the Tribunal but rarely put into practice. They also noted that the cost implications of certain measures should not be underestimated as they would call for increased material and human resources.

4.3. The views of staff representatives

21. Fifteen staff associations replied to an Office questionnaire. The increasing membership of the Tribunal is generally viewed as a positive development on condition that it is accompanied by a corresponding increase in the number of judges, support staff and sessions per year. Some expressed the view that a permanent composition of nine–ten judges should be considered which would permit to hold four sessions per year.
22. All staff associations expressed dissatisfaction with the length of judgment delivery time. Among the weaknesses identified in the operation of the Tribunal, several staff associations drew attention to the systematic refusal of the Tribunal to allow witness examination and oral arguments. In their view, oral hearings is a fundamental prerequisite of a fair judicial process and should be organized whenever the facts of a case are in dispute. Staff associations also underlined the absence of procedures which would permit the urgent intervention of the Tribunal in order to suspend the execution of a presumably unlawful decision and also the quasi-absence of case management on the part of the Tribunal before the completion of submissions and the assignment of a case to a judge. Moreover, they emphasized the need for the Tribunal to follow more scrupulously its own jurisprudence in cases similar in fact and in law (*stare decisis*), allow class action and grant *locus standi* to staff representatives to bring complaints in the general interest of staff.
23. Finally, some staff associations stressed the lack of transparency in the process of appointing the judges and considered that the “long-standing practice” of the ILO Governing Body appointing the judges upon the recommendation of the ILO Director-General should be revised. They further suggested that judges should be appointed for a single, non-renewable term so as to avoid any reproach of a real or perceived conflict of interest in case of reappointment.

Part II. Analysis of the situation and possible way forward

1. Principal findings and proposed course of action

24. On the basis of the information presented in Part I above, and following the broad consultations undertaken by the Office of the Legal Adviser over the past three months, three main conclusions seem to emerge: firstly, it is difficult to see how the Tribunal could continue under its current configuration and arrangements to cope with both its accumulated backlog and increasing workload. Secondly, the recognition of the Tribunal’s jurisdiction by new international organizations does not affect in any significant manner the capacity of the Tribunal even though the diversity of legal rules and regulations may at times prove challenging. Thirdly, the introduction of further changes to those undertaken by the Tribunal to increase its capacity to deal effectively with the workload may well result in efficiency gains in specific areas of the Tribunal’s functioning but will not be sufficient for the Tribunal to cope with the growing volume of complaints filed against one single organization (the EPO).
25. Faced with such reality, the Office could explore three strands of action in order to find long-lasting solutions to address the current situation. Firstly, an urgent, practicable and time-bound solution needs to be found regarding the facilitation of the speedy adjudication of all EPO complaints in a manner that permits the Tribunal to fulfil its mandate and effectively serve all other organizations, which have recognized its jurisdiction.

26. Secondly, while the reasons for the ILO to open the jurisdiction of its Administrative Tribunal to other organizations remain valid today, the conditions in the Tribunal's Statute pertaining to the acceptance of new organizations could be reviewed for instance in order to ensure that member organizations have effective internal remedies compatible with the Tribunal's role as a final adjudicatory mechanism.
27. Thirdly, a comprehensive review of the Tribunal's working methods and procedures is needed to ensure that it can continue to effectively administer justice in respect of a growing number of member organizations and covered staff. Such review should be undertaken in full consultation with all stakeholders concerned, and could address the following topics: (i) criteria for the joinder of cases so as to increase the capacity of the Tribunal to address a greater number of interrelated cases in a single judgement; (ii) new procedures allowing for the expeditious treatment of cases requiring a limited review by the Tribunal, such as motions for the dismissal of cases on grounds of their formal irreceivability and requests for clarifications necessary for a proper execution of previous judgments; (iii) a more proactive role for the Tribunal in the direction and investigation of each case from the submission of a complaint, including the early identification of opportunities for informal settlement; (iv) consideration of procedures specific to the growing number of disputes involving collective rights or of disputes challenging decisions of a general or regulatory nature; (v) measures to deter possible cases of abuse of process or unnecessary referrals to the Tribunal without affecting the free access to the Tribunal; (vi) feasibility study of the legal, practical and cost implications of the establishment of a more permanent structure for the Tribunal.

2. Other areas of possible improvement

28. Even though not directly related to the question of the Tribunal's capacity to manage its workload, additional important adjustments and improvements could be considered in the Statute, Rules and functioning of the Tribunal in three main areas.

2.1. Repealing Article XII of the Tribunal's Statute

29. Article XII of the Statute of the Tribunal provides that the ILO Governing Body may challenge a decision of the Tribunal on grounds that it confirmed its jurisdiction by error or that its decision is vitiated by a fundamental procedural flaw. This procedure is available to the Governing Body but not to the aggrieved complainant. An almost identical provision is found in Article XII of the Annex to the Statute of the Tribunal offering the same possibility to the executive boards of the international organizations that have recognized the competence of the Tribunal. Having been employed only twice in a nearly 70-year period, the review procedure set out in Article XII has been of minimal value and impact on the justice system built around the ILO Administrative Tribunal. The prevailing view is that Article XII of the Statute and its Annex reflects a juridical anachronism which fails to meet the principle of equality of arms and which therefore calls for long overdue action.
30. In the last advisory opinion sought by a specialized agency under Article XII of the Annex to the Tribunal Statute, the International Court of Justice affirmed in 2012 that the principle of equality of arms as a corollary to good administration of justice must be understood as including access on an equal basis to available appellate or similar remedies and considered that "questions may now properly be asked whether the system established

in 1946 meets the present-day principle of equality of access to courts and tribunals”.⁵ It should be noted that the Tribunal itself has recognized in Judgment No. 3003 of 2011 that the procedure set forth in Article XII of the Annex to its Statute is “fundamentally imbalanced to the detriment of staff members”. The equivalent provision in the Statute of the former United Nations Administrative Tribunal was repealed in 1995. Urgent consideration should therefore be given to repealing Article XII of the Statute along with the formalization of the procedure for the review of judgments developed in the Tribunal’s case law.

2.2. Establishing a procedure for the selection of judges

- 31.** Concerns have been raised from time to time on the perceived lack of transparency of the procedure for the selection of the seven judges of the ILO Administrative Tribunal. The credibility of the Tribunal would therefore be reinforced if the criteria and process for the selection of judges and their appointment by the International Labour Conference were to be clearly established and set out in the Tribunal’s Statute.

2.3. Updating the Tribunal’s working methods and procedures

- 32.** Despite the significant development in the Tribunal’s membership and covered staff over the past 20 years, and the evolution of Tribunal’s jurisprudence to adapt to the diversity and complexity of disputes referred to it, the Tribunal’s rules and procedures have remained practically unchanged. A comprehensive review of such rules and procedures should therefore be undertaken to better reflect modern realities, including the introduction of an e-filing system, the organization of oral hearings, the publication of an annual activity report by the Tribunal’s Registry, the formalization in the Tribunal’s Statute and Rules of new principles elaborated in its case law, and the review of time limits, as well as the responsibilities and structure of the Tribunal’s Registry.

Draft decision

33. *The Governing Body requests the Director-General:*

- (a) to initiate without delay discussions with the European Patent Organization (EPO), in consultation with the Tribunal as required, in order to identify a solution to the difficulties caused by the number of complaints generated within the EPO and which threaten the ability of the Tribunal to serve all other member organizations, and to report to the Governing Body at its next session;*
- (b) to consider with the Tribunal, and in consultation with member organizations and their staff representatives, concrete proposals for possible improvements and to keep the Governing Body informed of any progress achieved in this regard;*
- (c) to prepare draft amendments to the Tribunal’s Statute relating to Article XII, the selection process of judges and the conditions of admission of new organizations, for consideration by the Governing Body.*

⁵ Judgment No. 2867 of the Administrative Tribunal of the International Labour Organization upon a complaint filed against the International Fund for Agricultural Development, Advisory Opinion of 1 February 2012, *ICJ Rep. 2012*, para. 44, p. 29.

Appendix

ILO Administrative Tribunal – List of member organizations (in chronological order)

	Name of organization	Year of acceptance	Decision reference	Number of judgments	Number of staff
1	International Labour Organization (ILO)	1946	ILC resolution	329	2 983
2	World Health Organization (WHO)	1949	(GB.109/205, page 18)	447	8 265
3	United Nations Educational, Scientific and Cultural Organization (UNESCO)	1953	(GB.122/205, para. 55)	214	2 156
4	International Telecommunication Union (ITU)	1953	(GB.122/F.A./D.22)	155	773
5	World Meteorological Organization (WMO)	1953	(GB.123/205, para. 101)	28	310
6	Food and Agriculture Organization of the United Nations (FAO)	1954	(GB.124/205, para. 90)	323	5,779
7	European Organization for Nuclear Research (CERN)	1955	(GB.129/205, para. 78)	103	3 100
8	World Trade Organization (WTO) – successor of General Agreement on Tariffs and Trade (GATT)	1958	(GB.138/14/28); (GB.274/PFA/14/3)	27	722
9	International Atomic Energy Agency (IAEA)	1959	(GB.141/F.A./D.18/30)	105	1 832
10	World Intellectual Property Organization (WIPO)	1963	(GB.157/13/36, paras 153–156); (GB.183/FA/14/2)	101	1 214
11	European Organization for the Safety of Air Navigation (Eurocontrol)	1964	(GB.159/F.A./D.18/5)	234	1 957
12	Universal Postal Union (UPU)	1965	(GB.163/F.A./D.17/2)	61	269
13	Pan American Health Organization (PAHO)	1971	(GB.184/FA/14/6)	109	919
14	European Southern Observatory (ESO)	1972	(GB.186/7/21, paras 45–49)	99	660
15	Intergovernmental Council of Copper Exporting Countries (CIPEC) – ceased its operations in 1992	1972	(GB.188/13/33, paras 41–45)	9	–
16	European Free Trade Association (EFTA)	1975	(GB.195/PFA/21/20)	9	141
17	Inter-Parliamentary Union (IPU)	1975	(GB.195/PFA/21/4)	0	41
18	European Molecular Biology Laboratory (EMBL)	1977	(GB.203/PFA/10/9)	32	1 811
19	World Tourism Organization (UNWTO)	1977	(GB.204/PFA/16/26)	12	95
20	European Patent Organization (EPO)	1978	(GB.205/PFA/15/9)	761	8 820
21	African Training and Research Centre in Administration for Development (CAFRAD)	1979	(GB.211/PFA/11/23)	4	16

	Name of organization	Year of acceptance	Decision reference	Number of judgments	Number of staff
22	Intergovernmental Organization for International Carriage by Rail (OTIF)	1980	(GB.212/PFA/13/11)	7	20
23	International Centre for the Registration of Serials (CIEPS)	1983	(GB.224/PFA/18/20)	1	14
24	International Office of Epizootics (OIE) – World Organisation for Animal Health since 2003	1984	(GB.226/PFA/10/5)	5	89
25	United Nations Industrial Development Organization (UNIDO)	1986	(GB.232/PFA/11/12)	105	666
26	International Criminal Police Organization (Interpol)	1988	(GB.240/PFA/7/6)	38	745
27	International Fund for Agricultural Development (IFAD)	1988	(GB.241/PFA/10/12)	18	656
28	International Union for the Protection of New Varieties of Plants (UPOV)	1991	(GB.249/PFA/13/4)	10	12
29	World Customs Organization (WCO)	1993	(GB.258/PFA/12/17)	12	100
30	Court of Justice of the European Free Trade Association (EFTA Court)	1994	(GB.259/PFA/13/18)	9	17
31	Surveillance Authority of the European Free Trade Association (EFTA Surveillance Authority)	1994	(GB.259/PFA/13/20)	3	63
32	International Service for National Agricultural Research (ISNAR) – ceased operations in 2014	1996	(GB.267/PFA/15/1)	3	–
33	Organization for the Prohibition of Chemical Weapons (OPCW)	1997	(GB.270/PFA/16)	51	457
34	International Organization for Migration (IOM)	1997	(GB.270/PFA/16)	24	7 485
35	International Centre for Genetic Engineering and Biotechnology (ICGEB)	1997	(GB.270/PFA/16)	4	174
36	International Federation of Red Cross and Red Crescent Societies (IFRC)	1998	(GB.273/PFA/13/2; GB.273/PFA/13/2(Add. 1); GB.273/PFA/13/2(Corr.))	17	524
37	Energy Charter Conference (ECC)	1998	(GB.271/10/2 and subsequent decision of the Officers of the Governing Body).	2	28
38	International Hydrographic Organization (IHO)	1998	(GB.271/10/2)	0	19
39	Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization (CTBTO PrepCom)	1999	(GB.276/PFA/15)	28	243
40	International Plant Genetic Resources Institute (IPGRI) Biodiversity International since 2006	2000	(GB.279/PFA/15)	0	193
41	European and Mediterranean Plant Protection Organization (EPPO)	2000	(GB.279/PFA/15/1)	0	13

	Name of organization	Year of acceptance	Decision reference	Number of judgments	Number of staff
42	International Institute for Democracy and Electoral Assistance (International IDEA)	2002	(GB.283/PFA/15)	1	72
43	International Criminal Court (ICC)	2003	(GB.286/PFA/17/3(Rev.))	17	858
44	International Olive Oil Council (IOOC)	2003	(GB.288/PFA/20/1)	6	30
45	Advisory Centre on WTO Law	2004	(GB.291/PFA/19/1)	0	11
46	African, Caribbean and Pacific Group of States (ACP Group)	2004	(GB.291/PFA/19/2)	0	92
47	Agency for International Trade Information and Cooperation	2005	(GB.292/PFA/20/3)	4	12
48	European Telecommunications Satellite Organization	2005	(GB.294/PFA/18/3)	1	3
49	International Organization of Legal Metrology (OIML)	2005	(GB.294/PFA/18/4)	1	9
50	International Organization of Vine and Wine (OIV)	2006	(GB.295/PFA/9/1)	1	14
51	Centre of the Development of Enterprise (CDE)	2007	(GB.298/PFA/21/1)	11	23
52	South Centre	2007	(GB.300/PFA/19/3)	2	16
53	Permanent Court of Arbitration (PCA)	2007	(GB.300/PFA/19/2)	0	22
54	Global Fund to Fight AIDS, Tuberculosis and Malaria	2008	(GB.303/PFA/15/2)	9	596
55	Technical Centre for Agricultural and Rural Cooperation ACP-EU (CTA)	2008	(GB.301/PFA/18/3)	7	32
56	ITER International Fusion Energy Organization (ITER Organization)	2008	(GB.303/PFA/15/3)	1	500
57	Bureau International des Poids et Mesures (BIPM)	2008	(GB.301/PFA/18/4)	0	73
58	International Organization for the Development of Fisheries in Eastern and Central Europe (EUROFISH)	2008	(GB.301/PFA/18/2)	0	8
59	International Centre for the Study of the Preservation and Restoration of Cultural Property (ICCROM)	2009	(GB.306/PFA/19/2)	0	35
60	Global Crop Diversity Trust (CropTrust)	2015	(GB.323/PFA/11/2)	0	24
61	Consortium of International Agricultural Research Centers (CGIAR Consortium)	2015	(GB.323/PFA/11/2)	0	23