

APPENDIX No. 16.—RESOLUTION CONCERNING THE PRIVILEGES AND IMMUNITIES OF THE INTERNATIONAL LABOUR ORGANIZATION

Resolution

Whereas the Constitution of the International Labour Organization, as amended by the 1946 Instrument of Amendment, provides that the International Labour Organization shall enjoy in the territory of each of its members such privileges and immunities as are necessary for the fulfilment of its purposes and that delegates to the Conference, members of the Governing Body and the Director-General and officials of the Office shall likewise enjoy such privileges and immunities as are necessary for the independent exercise of their functions in connection with the Organization; and

Whereas the General Assembly of the United Nations adopted on 13 February, 1946, a resolution contemplating the unification as far as possible of the privileges and immunities enjoyed by the United Nations and the various specialized agencies; and

Whereas consultations concerning the implementation of the aforesaid resolution have taken place between the United Nations and the specialized agencies, including the International Labour Organization; and

Whereas by a resolution adopted on 21 November, 1947, the General Assembly of the United Nations approved a Convention on the privileges and immunities of the specialized agencies which is submitted to the specialized agencies for acceptance and to every member of the United Nations and every other State member of one or more of the specialized agencies for accession; and

Whereas the Convention on the privileges and immunities of the specialized agencies approved by the General Assembly of the United Nations consists of standard clauses applicable to all specialized agencies and of draft annexes relating to each of the agencies; and

Whereas this Convention becomes applicable to each specialized agency only when the final text of the annex relating to that agency has been adopted by it and transmitted to the Secretary-General of the United Nations; and

Whereas this Convention in no way limits or prejudices the privileges and immunities which have been or may hereafter be accorded by any State to any specialized agency by reason of the location in the territory of that State of its headquarters or regional offices;

The General Conference of the International Labour Organization,

Desiring to define the privileges and immunities of the International Labour Organization within the meaning of paragraph 3 of Article 40 of the Constitution of the Organization,

Accepts on behalf of the International Labour Organization the standard clauses of the privileges and immunities of the specialized agencies as modified by the annex relating to the International Labour Organization attached to the present Resolution;

Authorizes the Director-General of the International Labour Office to transmit to the Secretary-General of the United Nations the said annex and to inform him that the International Labour Organization accepts the standard clauses as modified by the said annex and undertakes to give effect to the provisions indicated in Section 37 of the standard clauses in accordance with the terms thereof;

Invites the States members of the International Labour Organization to accede to the Convention on the privileges and immunities of the specialized agencies and to undertake to apply the provisions thereof to the International Labour Organization; and

Authorizes the Director-General to communicate the text of the Convention on the privileges and immunities of the specialized agencies, including the annex relating to the International Labour Organization, to those of the members of the International Labour Organization which are not members of the United Nations and to invite them to accede thereto in accordance with the terms of Article 42 of the Convention.