FOLLOW-UP OF THE TRANSFORMATION OF THE ORGANIZATION INTO A
SPECIALIZED AGENCY OF THE UNITED NATIONS

(b) Ratifications following from the Agreement between
WTO and the United Nations

Note by the Secretary-General

The Secretary-General transmits to the Executive Council in the following
document the report concerning acceptance by WTO of the statutes of the
International Civil Service Commission and the Joint Inspection Unit and the
jurisdiction of the United Nations Administrative Tribunal in matters relating to
the Regulations of the United Nations Joint Staff Pension Fund.

This working document will be considered during the Executive Council session.
Delegates are requested to bring their copies with them to the meetings.
FOLLOW-UP OF THE TRANSFORMATION OF THE ORGANIZATION INTO A SPECIALIZED AGENCY OF THE UNITED NATIONS

(b) Ratifications following from the Agreement between WTO and the United Nations

1- Following the entry into force of the "Agreement between the United Nations and the World Tourism Organization" on 23 December 2003, it became necessary for WTO to comply with certain provisions of the Agreement which called for specific action on its part.

2- These provisions are contained in Articles 16 and 17 of the Agreement and read as follows:

Article 16(1)

"The United Nations and the World Tourism Organization agree to develop, in the interests of uniform standards of international employment and to the extent feasible, common personnel standards, methods and arrangements designed to avoid unjustified differences in terms and conditions of employment, to avoid competition in recruitment of personnel and to facilitate any mutually desirable and beneficial interchange of personnel. For this purpose the World Tourism Organization agrees to accept the Statute of the International Civil Service Commission and participate in the United Nations Joint Staff Pension Fund in accordance with the Regulations of the Fund and accept the jurisdiction of the United Nations Administrative Tribunal in matters involving applications alleging non-observance of those Regulations."

Article 17(2)

"The World Tourism Organization agrees to accept the Statute of the Joint Inspection Unit."

3- In its resolution A/RES/453(XV) approving the Agreement, the General Assembly authorized the Secretary-General "to issue once the instrument has come into force, the letters of agreement corresponding to the acceptance of the Statute of the International Civil Service Commission, the recognition of the United Nations Administrative Tribunal, and the acceptance of the Statute of the Joint Inspection Unit".

4- Accordingly, the Secretary-General, after consulting the Organization's Legal Adviser, prepared letters addressed to the Secretary-General of the United Nations ratifying WTO's acceptance of the Statute of the ICSC and the JIU and confirming that WTO, on entering the United Nations Joint Staff Pension Fund on 1 January 1996, had recognized the competence of the United Nations Administrative Tribunal, for pensions matters.

5- Copies of the three letters, dated 14 May 2004, are attached.
Ref: 196/ADM/2004

Mr. Kofi A. Annan
Secretary-General
UNITED NATIONS
New York
USA

Madrid, 14 May 2004

Dear Mr. Secretary-General,

As you are aware, the General Assembly of the United Nations and the General Assembly of the World Tourism Organization (WTO) approved, in Resolutions A/RES/58/232 and A/RES/453(XV) respectively last year, the transformation of WTO into a Specialised Agency of the United Nations. The corresponding agreement between the United Nations and WTO entered into force on 23 December 2003.

Article 16(1) of the Agreement between the United Nations and WTO provides that the World Tourism Organization agrees to accept the Statute of the International Civil Service Commission.

Chapter 1, Article 1, Clause 3 of the Statute of the International Civil Service Commission provides that acceptance by an organization of the Statute shall be notified in writing by its executive head to the Secretary-General.

On the recommendation of WTO’s Executive Council, the 15th Session of the WTO General Assembly in Resolution A/RES/453(XV) authorised me to issue a letter confirming WTO’s acceptance of the Statute of the International Civil Service Commission.

This I now do by means of the present letter.

I look forward to establishing close cooperation with the ICSC.

Yours sincerely,

(signed)
Francesco Frangialli
Ref: 199/ADM/2004

Mr. Kofi A. Annan
Secretary-General
UNITED NATIONS
New York
USA

Madrid, 14 May 2004

Dear Mr. Secretary-General,

As you are aware, the General Assembly of the United Nations and the General Assembly of the World Tourism Organization (WTO) approved, in Resolutions A/RES/58/232 and A/RES/453(XV) respectively last year, the transformation of WTO into a Specialised Agency of the United Nations. The corresponding agreement between the United Nations and WTO entered into force on 23 December 2003.

Article 17(2) of the Agreement between the United Nations and WTO provides that “the World Tourism Organization agrees to accept the Statute of the Joint Inspection Unit”.

Chapter 1, Article 1, Clause 3 of the JIU Statute provides that acceptance of the Statute by an organization shall be notified in writing by its executive head to the Secretary General of the United Nations.

On the recommendation of WTO’s Executive Council, the 15th Session of the WTO General Assembly in Resolution A/RES/453(XV) authorised me to issue a letter confirming WTO’s acceptance of the Statute of the Joint Inspection Unit.

This I now do by means of the present letter.

I look forward to establishing close cooperation with the JIU.

Yours sincerely,

(signed)
Francesco Frangialli
Ref: 200/ADM/2004

Mr. Kofi A. Annan
Secretary-General
UNITED NATIONS
New York
USA

Madrid, 14 May 2004

Dear Mr. Secretary-General,

As you are aware, the General Assembly of the United Nations and the General Assembly of the World Tourism Organization (WTO) approved, in Resolutions A/RES/58/232 and A/RES/453(XV) respectively last year, the transformation of WTO into a Specialised Agency of the United Nations. The corresponding agreement between the United Nations and WTO entered into force on 23 December 2003.

Article 16(1) of the Agreement between the United Nations and the World Tourism Organization provides that “...the World Tourism Organization agrees to ... participate in the United Nations Joint Staff Pension Fund in accordance with the Regulations of the Fund and to accept the jurisdiction of the United Nations Administrative Tribunal in matters involving applications alleging non-observance of these Regulations”.

The foregoing acceptance of the United Nations Administrative Tribunal jurisdiction is limited involving non-observance of the Regulations of the United Nations Joint Staff Pension Fund. It does not constitute general acceptance of UNAT’s competence or jurisdiction.

In this regard, I am pleased to inform you that WTO, on joining the United Nations Joint Staff Pension Fund in 1996, accepted the competence of UNAT within the limits mentioned above.

I therefore look forward to continuing cooperation with UNJSPF and UNAT.

Yours sincerely,

(signed)
Francesco Frangialli