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AFRICAN UNITY

Secretariat
P. O. Box 3243

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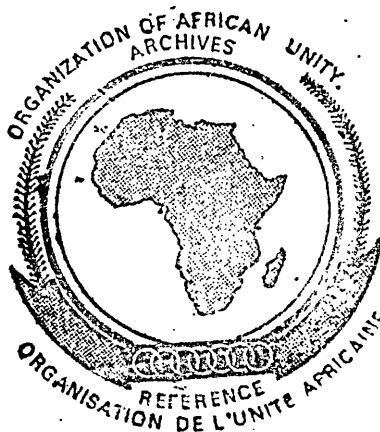
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CM/949(XXXII)

COUNCIL OF MINISTERS
THIRTY SECOND ORDINARY SESSION
NAIROBI, KENYA
FEBRUARY 26 - 2 MARCH 1979

ELECTION OF A NEW MEMBER TO REPLACE ONE OF THE
MEMBERS OF THE OAU AD HOC ADMINISTRATIVE TRIBUNAL



ELECTION OF A NEW MEMBER TO REPLACE ONE OF THE
MEMBERS OF THE OAU AD HOC ADMINISTRATIVE TRIBUNAL

In its Ordinary Session held in Kinshasa, Zaire, in September 1967, the Council of Ministers of the Organization of African Unity adopted the Constitution of the OAU Ad Hoc Administrative Tribunal, as contained in Document CM/99 Rev.2, Article 2 of which stipulates that the Tribunal shall be competent to hear application alleging:

- a) violation of the relevant provisions of the Staff Rules and Regulations of OAU;
- b) non-observance of contracts of employment and any other act of employment;
- c) the Tribunal shall also be competent to hear petitions, against disciplinary action if the Staff Council does not succeed in settling the difference amicably within 30 days reckoned from the date on which the disciplinary action was taken;
- d) the Tribunal shall also be competent to pass judgement upon the above mentioned application and petitions.

At the same Session, the Council of Ministers further adopted the Rules and Procedure of the OAU Ad Hoc Administrative Tribunal, as contained in Document CM/170 Rev.2, Article 1 of which stipulates that:

"Each year, the Council of Ministers shall nominate three Member States alphabetically, one of which, drawn by ballot, shall be replaced at the end of the year provided that no Member State shall be a member of the Tribunal for more than 3 years".

Each of these States shall designate from among its delegation, a qualified member to the office of Judge on the Ad Hoc Administrative Tribunal. A Judge thus appointed may be

removed from office by decision of the Council of Ministers only on grounds of inability to perform the functions of his office, or proved misconduct.

In its Thirtieth Ordinary Session in Tripoli, Libya, from 20 to 28 February 1978, the Council of Ministers designated Cape Verde, Comoro and the Congo to sit on the OAU Ad Hoc Tribunal.

None of the Member States nominated has so far been able to appoint from its delegation, a member as Judge of the Ad Hoc Administrative Tribunal. Consequently the Tribunal could not sit last year.

The Thirty-Second Session of the Council of Ministers is being called upon to:

- 1) elect a new Member to replace one of the Members of the Ad Hoc Administrative Tribunal;
- 2) appeal to the Member States nominated to appoint from among their own delegations a qualified member to the office of Judge on the OAU Ad Hoc Administrative Tribunal.



1979-03

Election of a New Members to Replace One of the Members of the OAU Ad Hoc Administrative Tribunal

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