

## Centre for Accountability of International Organisations

CAIO was formed in response to growing concerns of among the international legal community, legal practitioners, and international staff associations that systematic problems exist regarding the accountability of international organisations.

### CAIO has the following goals:

1. To promote means to ensure international organisations are held properly accountable for their actions, and to prevent the abuse of privileges and immunities.
2. To promote the development of criteria necessary to ensure the accountability of international organisations.
3. To promote transparent and effective means to ensure the rights of those having dealings with international organisations (including employees) are properly respected.
4. To promote the implementation of measures to ensure international organisations conform to their obligations under international and national law.
5. To support initiatives aiming to improve the standard of legal protection provided for those having dealings with international organisations.
6. To promote awareness of issues addressed by the Centre and the accountability of international organisations in general.

### CAIO seeks to meet these goals through the following means:

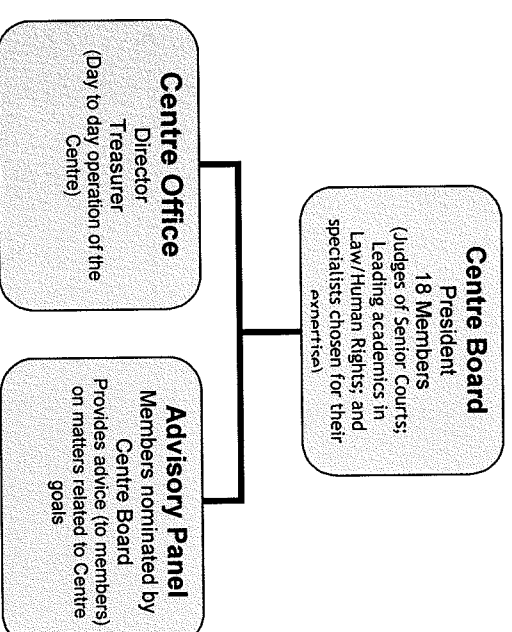
1. Monitor the compliance of international organisations with their obligation to uphold fundamental rights, including those of employees and third parties, and monitor the application of the principles of due process through the rule of law.
2. Act as a clearing-house and platform for discussion of alleged breaches of international conventions by international organisations or their staff.
3. Monitor the effectiveness of formal and informal conflict resolution and redress mechanisms within international organisations, including but not limited to appeals boards and administrative tribunals.
4. Raise awareness of the problems and promote discussion.
5. Act as a repository for relevant documents and other sources of information.
6. Promote the publication of articles relating to the issues addressed by the Centre.
7. Formulate proposals for appropriate reform measures.
8. Conduct lobbying at the national and international level.

### Views of CAIO

CAIO recognizes that the granting of privileges and immunities to international organisations is an essential means of ensuring the proper functioning of such organisations free from unilateral interference by individual governments and national authorities.

However, CIAO holds the view that proper accountability of international organisations is not only an essential element needed to ensure the implementation of fundamental rights, as well as the relevant law and regulations protecting such rights, but it is also necessary to maintain transparency and to ensure long term support for international organisations.

## Organs of CIAO



### Membership of CAIO

Any person may become a member of the Centre. Associate membership is available to professional associations or unions which share the goals of CAIO.

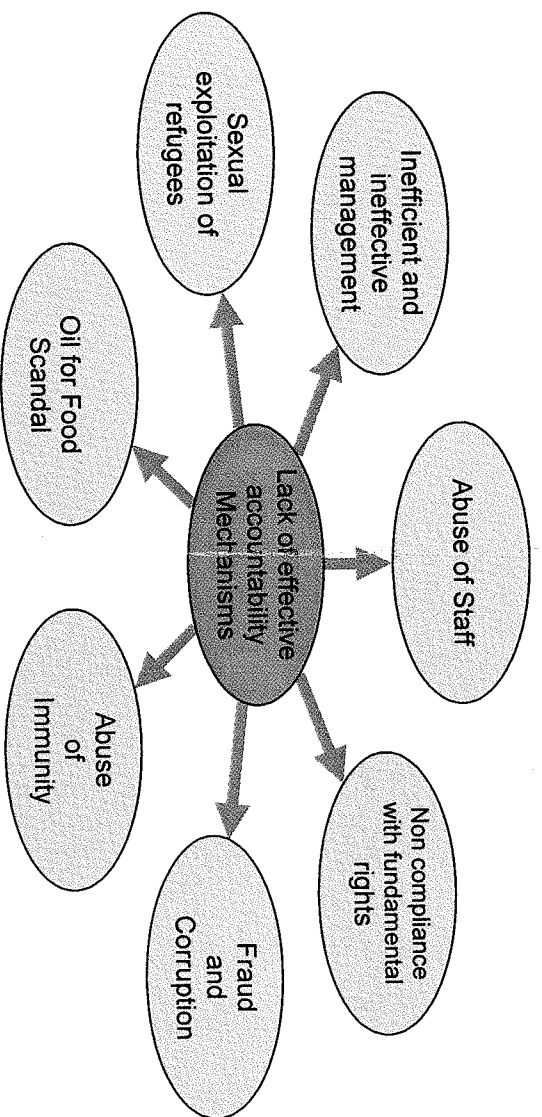
### Funding of CAIO

A small annual membership fee will be levied against members. These funds will be used to further the goals of CAIO in accordance with the CAIO Statute.

CAIO also relies on donations and funds-raising activities.

### Further Information

Further information can be obtained from the CAIO website [www.caio.ch.org](http://www.caio.ch.org) or via the email: [info@caio-ch.org](mailto:info@caio-ch.org)



### Underlying Problems limit effectiveness of Accountability Mechanisms

Many problems reported regarding international organisations (IOs) have a common factor, the lack of effective accountability mechanisms (see diagram above). CAIO believes that the structure of IOs is not consistent with the principle of the separation of powers. The charters establishing IOs grant substantial power to the head of the organisation, who is not only the executive head but has a controlling influence over internal legislative acts. In some cases the final decision regarding the outcome of quasi-judicial procedures is also delegated to the head of the organisation. Under the current interpretation of the immunity granted to IOs, no access is provided to national courts unless the head of organisation agrees.

Since administrative tribunals have refused to apply any law not specifically referred to in the service regulations, the application of fundamental rights, criminal law and labour protection law such as health and safety law is prevented. The ability of administrative tribunals to provide independent review of the acts of IOs is therefore limited by the internal regulations of the organisations themselves. There has also been increasing criticism of the ATs for their apparent failure to meet basic judicial standards e.g. Article 6.1 ECHR.

Under these circumstances compliance with international law, national law, and accepted practices of financial accountability rely almost solely on the willingness of the head of organisation to make themselves and their organisations fully accountable.

### Missing Human Rights Protection

The majority of IOs have not yet recognised the applicability of fundamental international human rights instruments. Administrative tribunals such as the LOAT have claimed to protect human rights, but none have defined a body of law identifying such rights. In the absence of such law the effective protection of human rights cannot be guaranteed. CAIO considers that recognition of such international treaties and their applications by IOs is possible without limiting the functional independence of the organisations, and would resolve a serious lacuna in the protection provided.

### The U.N. Sex Scandal - Exploitation and abuse of refugees

A leaked classified United Nations report prompted Secretary General Kofi Annan to admit that U.N. peacekeepers and staff have sexually abused or exploited war refugees in the Democratic Republic of Congo. The worst of the cases also alleged that UN peacekeepers captured on videotape include paedophilia, rape, and prostitution. While a U.N. investigation into the scandal continues, the organization has suspended two peacekeepers in neighboring Burundi over similar charges. The revelation came three years after another U.N. report found "widespread" evidence of sexual abuse of West African refugees.

### Leaked report details corruption allegations at U.N. weather agency

Details from a report, which alleges that funds were skimmed from the WMO budget to buy officials' votes — were first made public by a Swiss weekly, NZZ Sonntag. The WMO has denied that the 2003 election of its secretary-general, Michel Jarraud, was manipulated and the author of the report, author Maria Veiga, has been fired by the agency.

In a 65-page report, Maria Veiga concluded that a former WMO official skimmed more than 1.8 million (€2.3 million) from the agency's coffers while working in the planning department. Her report stated that the report was used to influence the votes of about 50 delegates to WMO member states during the 2003 election of the agency's new secretary-general. It was also claimed that the misappropriated funds were used to support election campaigns.

Despite the seriousness of these allegations, and requests from a Swiss judge, the WMO has stopped the investigation of senior officials **by refusing to lift the immunity of key officials.** Unlike diplomatic staff, officials of international organizations cannot be prosecuted in their home states. It remains uncertain how the investigation will be conducted, if at all.

